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CIRCULAR ORDERS

PERTAINING TO THE

REVENUE DEPARTMENT

OF THE

BOMBAY PRESIDENCY.

COMPILED BY

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A.C

THE REVENUE COMMISSIONERS

UNDER THE ORDERS OF GOVERNMENT.

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VOL. II.—J A J—Z A M.

BX. C

Bombay:
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1857.

JAJUMS to be supplied to Kutcherries once in 5 years.

Extract, being para. 2 of a Letter from Government to the Revenue Commissioner S. D., No. 491, dated 30th January 1846.

"Para. 2. In the present application some 'Jajums' appear to have lasted since 1837 (a period of nearly nine years), while in others they have endured only since February 1842, or just four years; while the former is perhaps too long a period to require that these articles should last, the latter is, His Honor in Council is of opinion, too short. Five years seem a fair term, and you are accordingly requested to instruct the Collectors to submit no estimates in cases where such floor-cloths may have been supplied within that period; at the same time they should enjoin their subordinates to endeavour to make them last, which, with good management, they may do for a longer period."

JAJUMS.—The dimension, &c. of —— to be supplied to Mamlutdars, Mahalkurrees, and Treasurers, prescribed.

No. 3351 of 1851.

From E. G. Fawcett, Esq., Revenue Commissioner S. D.,

To T. Loughnan, Esq., Acting Collector of Sholapoor.

Sir,—In reply to your letter dated the 20th instant, No. 768, I have the honor to inform you that Jajums for Dufturdars should not, in any case, exceed 33 feet in length and 10 feet in breadth, with one for the Treasury-room 17 feet by 8, or an equal quantity, in superficial feet, according to the shape of the room for which it is required. A pillow may also be allowed with each of the above.

2. As regards Mahalkurrees, each Officer may be allowed a Jajum and a pillow, the former being of the same dimensions as the Jajum above provided for Treasurers.

I have, &c.,
E. G. Fawcett,
Revenue Commissioner S. D.

Poona, Rev. Com.'s Office,
29th September 1851.

JODEE LANDS.—The Quit-rent of permanent —— to be levied according to the new Survey rates, &c.

No. 1490 of 1851.

Territorial Department—Revenue.

To E. H. Townsend, Esq., Revenue Commissioner S. D.

Sir,—I have been directed to inform you that the course pointed out in para. 2 of your letter No. 594, of the 27th ultimo, appears to Government to be the only correct one; but that it is to be understood that, at the close of the thirty (30) years for which the revised rates are to hold good, the amount of Jodee fixed by the Inam Commissioner's decisions will not be exceeded, should the land, according to the rates which may then be introduced, be assessed higher than the amount of that

Jodee,—consequently the Jodeedar will enjoy the profits of any improvements he may make by bringing the land under irrigation, &c.

2. Copy of your letter and this reply have been sent direct to Captain Wingate and Mr. Hart. You will be so good as to make the necessary communication to the Collectors of Dharwar and Belgaum.

I have, &c.,
H. E. GOLDSMID,
Secretary to Government.

Bombay Castle,
20th February 1851.

No. 594 of 1851.

To H. E. GOLDSMID, Esq., Secretary to Government.

SIR,—I have the honor to forward a letter from the Collector of Dharwar, dated the 20th ultimo (No. 2164), in which that Officer enquires, whether lands continued as permanent Jodee lands,—on the recommendation of the Inam Commissioner, are to pay *only* the Survey rates where these are less than the old Jodee rates.

2. To this question there can, I imagine, be but one reply; the 5th Rule of the Joint Report, dated 2nd August 1847, limits the demand of Government on every cultivator of land to "the Survey Assessment," and this accords with the rule proposed in the 8th and 18th paras. of the letter of 10th October 1844 (No. 63), from Messrs. Goldsmid, Hart, and Wingate, which decides that Jodee payments, where they exceeded the new assessment, were always to be reduced to the latter. The same principle is expressed in the 54th para. of Captain Wingate's letter of 24th December 1849 (No. 246), and has never been objected to by Government.

3. My letter of 25th October, referred to by the Collector, does not interfere in any way that I can perceive with this rule; as, however, it has been referred to Captain Wingate, this defect in it (if it exist) will be remedied.

I have, &c.,
E. H. TOWNSEND,
Revenue Commissioner S. D.

Kinnee, Rev. Com.'s Camp,
27th January 1851.

JODEE LANDS.—Orders as to the mode in which Jodee Dewusthan Holdings should be treated.

No. 760 of 1855.

Territorial Department—Revenue.

To the REVENUE COMMISSIONER S. D.

Copy of the Resolution passed by Government under date 19th February 1855, on a Letter from Mr. Manson, Inam Commissioner, No. 3244, dated the 20th April 1854, having reference to the mode of treating "Jodee Dewusthan Holdings," &c.

Such of the portions of Dewusthan Jodee Inam land as were resumed before the

passing of Act XI. of 1852 for the purpose of giving effect to the Government order of 9th December 1837, No. 3625, must remain Khalsat if they are in the occupation of others, and the rest of the portions must be regarded as having been already declared by competent authority "Surv Inam." Portions which are not in the occupation of others, but which are unoccupied or are occupied as Khalsat lands, on behalf of the institutions of which they formerly formed a portion of the endowments, may, if the parties interested so please, be thrown into the rest of the original Jodee, into a Jodee holding, and held under the Survey rules and Government order quoted by Mr. Manson, as a permanent Jodee Inam, subject to the payment of the Jodee assessment, mentioned in the Inam Commissioner's Decree as leviable, or, of the revised Survey assessment, if less than the Jodee.

Rule 5 para. 84 of Joint Report. Government Letter of 20th February 1854, No. 1490.

2. The Government order of 9th December 1837 may be now considered cancelled, in so far as regards Dewusthan Jodee Holdings which have not already been affected by it.

H. YOUNG,
Offg. Chief Secretary to Government.

No. 3244.

From C. J. MANSON, Esq., Inam Commissioner,

To H. E. GOLDSMID, Esq., Acting Chief Secy. to Government.

SIR,—With a view to sever their connection with revenues alienated for the support of Temples, Mosques, &c., Government authorised Mr. Baber, Principal Collector of Dharwar, in all cases in which such religious institutions were subject to the payment of a Jodee, or quit-rent, to Government, to mark off, as Khalsat, so much of the holding as would be equivalent to the value of the quit-rent, and to declare the remainder the permanent Surv Inam of the Idol, Peer, &c.

2. But under our light Survey assessment it is likely to happen, that in order to recover the full value of the quit-rent the whole holding must be declared Khalsat. This will be no present pecuniary loss to the managers or servants, &c. of the Temple or Mosque, but it may become so, as I shall immediately show. It must, however, be now felt as a sentimental loss or injury to cause a valid Dewusthan or Musjid holding, which has been entered for a long course of years under the former and present Governments as "Jodee Inam," to be entered, for the future, as Khalsat.

3. Where I consider prospective pecuniary loss to be probable is, when the Government rule regarding Jodeedars comes into operation. They say in their Revenue letter No. 1490, dated 20th February 1851, that, "at the close of the 30 years for which the revised rates are to hold good, the amount of Jodee fixed by the Inam Commissioner's decisions, will not be exceeded, should the land,

according to the rates which may then be introduced, be assessed higher than the amount of that Jodee; consequently the Jodeedar will enjoy the profits of any improvements he may make by bringing the land under irrigation;" so that, if to secure the full payment of the quit-rent it become necessary, under the Survey, to lay the assessment on the whole extent of the Idol or Mosque holding, and declare the land Khalsat, the Dewusthan Jodeedars, &c. will be denied *the profits* of any improvements they may make during the thirty years for which the Survey rates hold good. They will become placed on the footing of ordinary rent, paying Ryuts for whom it is not guaranteed that *their* rents shall not be raised after the thirty years, but only that the rents of the Jodeedars, as fixed by this Department, shall not be raised.

4. I therefore feel difficulty in giving effect to the Government instructions in both instances, since, by Rule VII. Schedule B, of Act XI. of 1852, the lands must be declared continuable permanently for the support of the Temple, Mosque, &c., subject to a fixed quit-rent. This law clashes with the instructions to Mr. Baber.

5. But even setting aside the hardship of excepting the holders of Jodee Dewusthans, &c. from the benefits of the Survey Rule regarding Jodeedars in general, I respectfully submit that the instructions to Mr. Baber are insufficient for the object for which they seem to have been intended, if I rightly interpret the full scope of that object.

6. If an alteration was merely intended in the name of the rent received by Government, then the object has been effected. Instead of being called "Dewusthan Jodee Inam," or a quit-rent leviable from an Idol's holding, it is to be now called "Khalsat," or the equivalent of that quit-rent levied as assessment on Government lands. But who pays this rent? Is it not still, or may it not still be the Temple managers and servants who are not ousted from possession, merely because an alteration is made in the Government Registries?

7. On the other hand, if Government intended that the Temple servants and managers were to be ousted from possession, and that they would not receive rent from them, then, in my humble judgment, the order to be now carried out will be illegal. But such, nevertheless, appears to me to have been the Government intention. They say in their letter to Mr. Baber,—

"I am directed to acknowledge the receipt of your letter dated the 14th ultimo, and to acquaint you that the plan which you have proposed in your note B, by which the lands hitherto held jointly by Government and the Pagodas will be divided according to their respective shares, without loss or gain to either party, and with the advantage of the withdrawal of the interference of Government, is sanctioned by the Right Honorable the Governor in Council."

Letter No. 3625, dated 9th December 1837.

The note B was as follows:—

8. "It is proposed to receive this amount, Rs. 7956-2-3, in lands exempt from any participation on the part of the Temples, and to leave the remainder wholly in the hands of the priests or overseers, whereby Government will have withdrawn themselves from all future connection with the revenues of Temples."

9. Perhaps the solution of the difficulty which I have raised to the instructions to Mr. Baber not being sufficient to effect a perfect severance of the Government connection with the Temple Revenues may be in this, that even if the Temple managers and servants should pay the equivalent of the quit-rent as heretofore, Government in no way recognise their calling, but regard them merely as ordinary rent-paying Ryuts who are cultivating Government lands, and not as holders of Jodee Dewusthans as formerly.

10. If Government desire an adherence to those instructions, the Jodee Dewusthan holdings will be exceptional to the general rule regarding Jodeedars quoted in my 3rd para., but if they contemplate any alteration at all, I submit that the instructions should be rescinded entirely.

I have, &c.,
C. J. MANSON,
Inam Commissioner.

Belgaum,
20th April 1854.

JOSHEES.—Government not disposed to interfere in adoptions by Village ——. *See Extract of Government Letter No.* 130 *of* 1848, *under* "Adoptions."

JUMMABUNDY.—The first —— Settlement of a Surveyed District to be made by the Superintendent of the Survey.

No. 395 of 1842.

Territorial Department—Revenue.

To J. VIBART, Esq., Revenue Commissioner.

SIR,—I am directed by the Right Honorable the Governor in Council to acknowledge the receipt of your letter No. 87, dated the 15th ultimo, on the subject of entrusting the Superintendents of the Surveys in the Deccan with the duty of making the first Jummabundy Settlement of a revised district at the new rates.

2. In reply, I am desired to acquaint you, that the success which has attended the introduction of the new rates under the agency of Mr. Goldsmid and Lieutenant Wingate, in the instances of the Surveys of the Talookas in the Deccan, disposes His Honor in Council to sanction your present recommendation.

3. The intimate acquaintance which the Surveying Officer must necessarily acquire with the state of each Talooka, particularly qualifies him for this duty, and much difficulty and delay would arise were it entrusted into the hands of others

who might have every thing to learn at a time when perfect knowledge ought to be brought to this final operation of the Surveys.

I have, &c.,

Bombay Castle,
14th February 1842.

D. BLANE,
Acting Secretary to Government.

JUMMABUNDY.—Orders respecting the correct framing of —— Reports, &c.

Extract paras. 4, 6, 7, 8, *and* 9 *from Government Letter No.* 2031, *dated* 26*th June* 1839.

"Para. 4. In future, therefore, the Collectors should refrain from handing up to Government the Statements prepared by their Assistants, or any but those which are to be framed according to the three forms A, B, and C. It has frequently occurred that the Collectors forward a number of statements (in some cases no less than seventeen have been sent), which are prepared at the cost of much time and labor, and many of which are so framed as to render them difficult of comprehension.*

* * * * * * *

"6. The Governor in Council has also noticed that the Collectors and their Assistants often make use of Native Revenue terms without giving the definitions in English; such a practice must, where the terms used are, as in England, but partially understood, or where there may be no good glossaries, tend to make the reports in some degree unintelligible; and the Governor in Council directs, therefore, that whenever any Native term is used, the definition in English be invariably given in the margin. Particular attention is also required to the Standing Orders* of Government, that whenever Native dates are mentioned in letters or statements, the corresponding English dates be always given.

* Vide Circular of 12th July 1834, and Notification of 2nd February 1836.†

"7. It has likewise been noticed by Government that the reports from the Assistant Collectors are generally drawn up without much regard to order and arrangement; that they are very indifferently transcribed, and abound with clerical errors; and that the paras. are not numbered in consecutive order. In many instances, too, where orders from Government are referred to, the dates are not quoted, the writer very often commencing his paragraph with 'referring to the correspondence which took place a few years ago,' or, 'if I recollect rightly, an order was issued by Government prohibiting,' &c. This loose method of writing creates much delay, and costs much labor in this office in discovering the particular orders to which the parties allude.

"8. The Governor in Council desires that greater attention be paid in future in the preparation of the annual reports, so as to obviate the defects noticed in the preceding para., and requests that it be understood that those reports which embrace the most judicious observations and suggestions in a small compass, will be con-

* See the Forms of Statements since prescribed for Annual Revenue Reports under "*Jummabundy*."

† For these orders see at pages 271 and 273.

sidered the most valuable by Government. On this subject I am desired to annex an extract from the Honorable Court's despatch of the 10th July 1830 (para. 4).

"9. The statements that are to accompany the annual reports are to be drawn up on foolscap paper, with a small margin, so as to admit of their being bound up without detriment to the figures."

Extract para. 4 of a Letter from the Honorable the Court of Directors, dated 10th July 1830 (General Department).

"Para. 4. It should be understood throughout our Service, that the letters which contain the most useful information and pertinent suggestions or instructions within the shortest compass, are most valuable, and will be held by the superior authorities in the highest estimation."

(True extract)
L. R. Reid,
Acting Chief Secretary.

Nos. 2348 and 2356 to 2360 of 1847.

To all the Collectors S. D.

Sir,—With reference to para. 3 of the Government letter of 12th ultimo, No. 3290, forwarded to you with my endorsement of the *, I would request your particular attention to the preparation of your Revenue Reports for the official 1846-47, now overdue, in such a manner that further references may not be necessary from this Department, whence much delay is incurred and trouble to all parties before those documents can be laid before Government.

* To *Poona* of 3rd instant, No. 2194.
To *Ahmednuggur* of 18th ultimo, No. 2010.
To *Sholapoor, Belgaum, and Rutnageeree* of 3rd instant, Nos. 2195 to 2197.
To *Dharwar* of 4th instant, No. 2198.

2. The chief cause of these references appears to be the little care bestowed in the preparation of the figured statements (English and Murrathee), which accompany these Reports. In some cases, last year, these documents differed from each other, and both sometimes differed from the sums professedly quoted from them in the Report. I request, therefore, that before you sign these documents, you will assure yourself that they have been carefully prepared and examined, that the English and Murrathee statements agree together, and are in themselves correct, and exhibit the exact sums quoted in the Report.

3. In some Collectorates the English statements and their Murrathee counterparts agreed together, but neither could be reconciled with the subordinate Murrathee statements which gave, in another shape, the details of the settlements. I request your particular attention to the preparation of these documents, and that you will forward the subordinate statements, if possible, with the Reports, as, till they are received, little, if anything, can be done with the former.

4. The first thing to be noticed in the figured Statement A is the "Number

of Villages"; any alteration in these, as compared with the previous year's statement, should be explained in the Report, and the manner of entry ordered by Government in para. 4 of their letter (No. 3290), above quoted, strictly attended to.

5. "Alienations," as contained in columns 5 to 8* of the same statement, should be carefully entered, and any increase or decrease in any of these columns, as compared with the preceding year, be fully explained.

* Columns 7 to 10 of the present Forms. (February 1855.)

6. Each item of increase or decrease in the "Net Government Revenue," before remissions have been deducted, should be fully exhibited, care being taken that these items agree with the figured statements. Where the Revenue of a Talooka has increased, and its extent of cultivation, as shown in Statement F, decreased, or vice versâ, any such apparent discrepancy should be noticed and explained.

7. The circumstances of the season, especially when remissions were given, should be fully explained. The Officers who made the settlement of each Talooka, and the month in which it was made, should be stated. In Collectorates partly settled according to the new assessment, it should be shown what portion is assessed according to the new, and what according to the old rates.

8. Where remissions are given on different accounts, the necessary detail should be exhibited.

9. Former correspondence, when referred to, should be *distinctly quoted*, the number and date of the letter quoted being specified. On this subject there is a circular of Mr. Chief Secretary Reid's of 26th June 1839, No. 2031.†

10. Whenever you may have occasion to refer to Murrathee Yàds from this, or any other office in your Report, pray mention in a few words their subject; and this you should especially enjoin on your Assistants, when referring to any correspondence between you and them in the Native language, as such correspondence does not go before Government, and the mere quotation of number and date does not render the subject intelligible to the Honorable the Governor in Council.

11. There are other subjects, attention to which, on your part, when these reports and their accompanying statements are first prepared and forwarded, will render further references unnecessary, and which will readily occur to you in the course of their preparation. I am well aware that it is the press of business which often induces Collectors to send these reports hastily prepared, and scarcely compared with their statements; but more time is lost in the end by this haste, owing to the many references thus occasioned, than is gained in the first instance.

12. As this letter is a circular, it contains remarks which are not equally applicable to each Collectorate of this Division. In the preparation of the Revenue Reports for 1845-46, there was a marked difference between the different Collectorates; some reports were prepared with care, and few explanations or corrections

† At page 550.

were required; while others incurred a correspondence of some months before the statements were altogether correct.

I have, &c.,
E. H. TOWNSEND,
Revenue Commissioner S. D.

Poona, Rev. Com.'s Office,
17th September 1847.*

N. B.—The foregoing instructions were approved of in the Government Letter No. 4557, of 12th November 1847.

JUMMABUNDY.—Formula prescribed for commencing —— Reports.

Circular.
No. 2698 of 1851.

From E. G. FAWCETT, Esq., Revenue Commissioner S. D.,
To the COLLECTORS S. D.

SIR,—With a view to ensuring a clear exhibition of the financial results and facilitating comparisons with former years, I have the honor to request that the accompanying formula (to be followed by a distinct notice of each of the headings in the table in para. 3, in the order they there occur) be adopted as the commencement of your Annual Revenue Reports, preliminary to entering upon the other matters desired to be brought under review.

I have, &c.,
E. G. FAWCETT,
Revenue Commissioner S. D.

Poona, Rev. Com.'s Office,
12th July 1851.

(Formula.)
No. ———.

From ———
To ———.

Dated ———.

SIR,—I have the honor, in submitting the prescribed Statements, with the Reports of my Assistants, Messrs. —— and ——, hereto appended, to offer the following remarks on the Revenue management of this Collectorate, for the official year A. D. 18— - —.

2. The Land Revenue for the year under review appears to be as follows:—

Gross Land Revenue ..... Rs.	00	0	0
Alienations	00	0	0
Government Revenue..	00	0	0
Deduct.			
Remissions	00	0	0
Revenue for Collection ..	00	0	0

* The date of the copies sent to *Rutnageeree*, *Belgaum*, and *Dharwar* was 18th September 1847.

3. A comparison with the preceding year exhibits the results given in the subjoined Table.

Comparative Statement.

Headings.	For 1849-50.			For 1850-51.			Increase.			Decrease.		
	Rs.	*a.*	*p.*	*Rs.*	*a.*	*p.*	*Rs.*	*a.*	*p.*	*Rs.*	*a.*	*p.*
1. Gross Revenue	0	0	0	0	0	0	0	0	0	0	0	0
2. Alienations	0	0	0	0	0	0	0	0	0	0	0	0
3. Government Revenue	0	0	0	0	0	0	0	0	0	0	0	0
4. Remissions	0	0	0	0	0	0	0	0	0	0	0	0
5. Revenue for Collection	0	0	0	0	0	0	0	0	0	0	0	0
6. Collections up to 31st July	0	0	0	0	0	0	0	0	0	0	0	0
7. Balances on 1st August	0	0	0	0	0	0	0	0	0	0	0	0
8. Outstanding Balances for former years	0	0	0	0	0	0	0	0	0	0	0	0
9. Balances of Tuggài Advances	0	0	0	0	0	0	0	0	0	0	0	0
10. Charges paid from the Treasury	0	0	0	0	0	0	0	0	0	0	0	0
11. Cost of Collection, including Columns 8 and 25 of Statement A.	0	0	0	0	0	0	0	0	0	0	0	0

E. G. FAWCETT,
Revenue Commissioner S. D.

JUMMABUNDY.—The transmission of the Annual —— Reports by Collectors should on no account be delayed beyond the close of September.

Extract para. 3 *of a Government Letter to the Revenue Commissioner S. D., No.* 9486, *dated* 30*th September* 1851.

"Para. 3. The Governor in Council concurs with your predecessor in opinion that the period (August) fixed by the Government orders of 1828, quoted by him, for the transmission of Annual Reports was too early; it may be extended to close of September. You will be pleased to enjoin on the several Collectors of your Division, that the Reports are on no account to be delayed beyond the period now sanctioned."

JUMMABUNDY.—Subjects to which Collectors' —— Reports are to be confined.

No. 1643 of 1843.

Territorial Department—Revenue.

To R. K. PRINGLE, Esq., Revenue Commissioner N. D.

SIR,—I am directed by the Honorable the Governor in Council to transmit to you the accompanying extracts paras. 33 to 35, from my letter of this day to the Revenue Commissioner Southern Division, in answer to the Jummabundy Report of the Dharwar Collectorate, and to request that you will call the attention of all the Collectors, within your range, to the orders of Government, relative to the subjects which ought to be noticed in their Annual Reports.

I have, &c.,
L. R. REID,
Chief Secretary to Government.

Bombay Castle,
19th May 1843.

Extract of a Letter to the Revenue Commissioner S. D., dated 19th May 1843, No. 1635.

"Para. 33. After having disposed of his Assistants' Reports, Mr. —— notices various subjects of interest, many of which, however, are totally foreign to the subject of the 'Land Revenue' of his charge, to which this report ought to have been confined, viz:—

Tank repairs.
Form of conducting correspondence with the Engineer Department.
Separate Establishment required by the Mamlutdars for Police duties.
Separation of four Talookas into five.
Use of the Canarese language.
Roads.
Indoor labour of Prisoners.
Town duties.
Hoogee and Aya taxes.
Sites of Ryuts' houses.
Cotton cultivation.
Trees.
Taxes on Ganja and Bhang, &c.
False coins.
Salt.
Political duties.

"34. It is obvious that but few of these can legitimately come under discussion in a Despatch, which professedly is confined to the 'Land Revenue,' especially when the remaining items of Revenue are made the subject of a separate report. Mr. ——'s adoption of the same confused method in his last year's report on the Belgaum Collectorate attracted the notice of Government in the 18th para. of its reply of the 16th May last; but this, as he had intermediately been removed to Dharwar, was not communicated to him personally, you will be pleased, however, to draw his attention to this subject.

"35. I am directed further to observe, that many of the subjects abovenamed ought not to be brought into Annual Reports on the Revenue, but should rather form the subject of separate correspondence. On this point you will be pleased to communicate to the Collectors of Dharwar and Belgaum for their guidance, the Circular (of which copy is annexed) issued on the 15th April 1836, by the Revenue Commissioner, to all Collectors, and approved by Government, and you may also again call the attention of all the other Collectors within your range to it; similar instructions will be issued to the Revenue Commissioner Northen Division."

(True extract)
L. R. Reid,
Chief Secretary to Government.

Circular.

SIR,—I have the honor to request that in future Jummabundy Reports you will confine yourself to figured statements respecting the amount of the Revenue of your charge for the past official year, to notices of the causes of any increase or decrease, and to descriptions of the state of the Collectorate, or any particular parts of it, such as may convey to Government an accurate idea of its actual condition compared with its past.

2. Modifications of the assessment; the abolition or alteration of any particular cess; the leasing of villages; rewards to public servants; modifications of the local establishments; the advance of sums for the construction or repair of public works, &c. &c.—in short every question of a *specific* nature (the expeditious disposal of which is desirable) should be made the subject of a *separate and distinct* reference. Such questions, however, may be discussed in a *general* manner, either prospectively or retrospectively, as having influenced the decrease of the annual Revenue, or in any other way affected the condition of the country.

3. You will have the goodness to circulate copies of this letter for the information and guidance of your Deputed Assistants,* and forward one to your Sub-Collector.

* Inserted in Circular to the Principal Collector.

I have, &c.,

T. WILLIAMSON,

Revenue Commissioner.

Khandeish District, Syegaum,
Rev. Com.'s Office, 15th April 1836.

(True copy)

L. R. REID,

Chief Secretary.

JUMMABUNDY.—Full information to be given by the Collectors in their Annual Reports as to when, and by whom, the Revenue Settlement was made.

Extract para. 2 of a Letter from Government No. 2049, *dated the 26th March* 1852, *reviewing the Reports on the settlement of the Land and Sayer Revenues of the Broach Collectorate, for the year* 1849-50.

"Para. 2. You are requested to impress on the several Collectors of your Division the necessity of giving full information on this subject in their Annual Reports *(i. e. when, and by whom, the Revenue Settlements were made).*"

JUMMABUNDY.—Reports of Assistants to be forwarded to Government with the Collector's Report.

Nos. 2358 to 2364 of 1838.

Territorial Department—Revenue.

To all the COLLECTORS.

SIR,—I have the honor to subjoin, for your information and guidance, extract of a correspondence with Government, from which you will perceive that the

Annual Reports of your Assistants in charge of Districts are to be handed up in future *with your own* General Reports, unless under circumstances which may render their immediate transmission necessary.

I have, &c.,
T. WILLIAMSON,
Revenue Commissioner.

Poona, Rev. Com.'s Office,
24th October 1838.

Extract of a Letter from the Acting Chief Secretary to Government in the Territorial Department, to the Revenue Commissioner, dated 4th December 1838.

"Para. 1. I am directed by the Honorable the Governor in Council to acknowledge the receipt of your letter (No. 1886), dated the 16th August last, submitting one from the Collector in Khandeish, together with a Report from his Assistant, Mr. Dallas, on the Jummabundy Settlements of the Talookas of Jamnair, Sowdah, and Nusseerabad, for 1837-38, and to observe that the reports of detached Assistants should accompany the Collector's General Report, instead of being submitted separately, and taken into consideration when the General Report of the year shall have been received."

(True extract)
T. WILLIAMSON,
Revenue Commissioner.

JUMMABUNDY.—Assistant Collectors required to furnish only one —— Report treating, first, of the Land, and then of the Sayer Revenues.

Extract, being part of para. 36 *of the Government Letter to the Revenue Commissioner, No.* 1481, *dated* 16*th May* 1842.

"Para. 36. * * * You will be pleased, however, to point out to the Assistants that Government does not require from them separate letters, such as those of which Mr. —— has furnished three, which must necessarily give rise to a very voluminous correspondence. One letter would answer every purpose, treating, first of the state of the Land Revenue, and of all matters connected with the agriculture of the country, and then proceeding to detail the state of the Sayer, &c., and such matters as may have immediate reference to the land, or to the agricultural classes of the community. These letters should be drawn out in a concise form, and all superfluous recapitulations should be avoided."

JUMMABUNDY.—The —— Reports of Assistant Collectors not to be accompanied by Statements. *See Extract of Government Letter No.* 7836, *of* 19*th December* 1848, *under* "Assistant Collectors."

JUMMABUNDY.—Collectors to require their Detached Assistants to submit their Annual —— Reports when they become due; and inattention to this order to be specially reported.

Extract para. 15 *of a Letter from Government to the Revenue Commissioner N. D., No.* 4813, *dated* 4*th August* 1849.

"Para. 15. The excuse offered for Mr. ——'s not having submitted a report of the Revenue Settlement of his Districts is not satisfactory; but, as observed by your predecessor, the time when any injunction on this point would have been of use, in this particular instance, has long since elapsed. The attention of the Collectors should, however, be directed to the necessity of requiring their detached Assistants to submit such documents when they become due; and inattention to this order should be specially reported."

JUMMABUNDY.—District Deputy Collectors to furnish Annual —— Reports in the Vernacular language, the substance of which is to be embodied in the Collector's own Reports.

Circular.

No. 3860 of 1853.

From E. G. Fawcett, Esq., Revenue Commissioner N. D.,

To all the Collectors.

Sir,—I have the honor to inform you, that under date the 16th instant, No. 7266, Government has decided that District Deputy Collectors should furnish Annual Revenue Reports in the Vernacular language, the substance of which should be embodied in the Collector's own report, and a copy of the original sent to the Revenue Commissioner. I therefore request you will have the goodness to act accordingly.

I have, &c.,

E. G. Fawcett,

Revenue Commissioner N. D.

Nassick District, Camp Peepulgaum,
Rev. Com.'s Office, 21st December 1853.

JUMMABUNDY.—Form of Statements to accompany —— Reports.

FORM

FOR THE LAND

CONTRASTED STATEMENT exhibiting the GROSS and NET LAND REVENUE of

with the Amount of Realizations, Remissions, and Sums written off, and of the Balances

No.	Names of Talookas.	Number of Villages.			Gross Land Revenue.	Remissions on account of current Land Revenue year, up to 31st July 185 .	Remainder.
		Government.	Alienated.	Total.			
		1	2	3	4	5	6
	Total						

Deductions, being Revenue not collected by Government.

Villages and Lands, the Revenue of which is alienated.	Official rent-free Lands of Village and District Officers.	Shares of Revenue (Umuls) collected by the Sharers direct.	Total Deductions.
7	8	9	10

Revenue to be realized by Government.		
On account of current year.	Outstanding Balances on account of former years, on the 31st July 185 .	Total.
11	12	13

185 -5

Realizations and Remissions, up to 31st July.

Collections on account of current year.	Collections on account of former years.	Irrecoverable Balances written off on account of former years.	Total.
14	15	16	17

Balances outstanding on the 1st August 185 — .		
On account of current year.	On account of former years.	Total.
18	19	20

Gross Land Revenue.	Remissions on account of current Land Revenue year, up to 31st July 185 .	Remainder.
21	22	23

Deductions, being Revenue not collected by Government.			
Villages and Lands, the Revenue of which is alienated.	Official rent-free Lands of Village and Distric Officers.	Shares of Revenue (Inams) collected by the Sharer direct.	Total Deductions.
24	25	26	27

Revenue to be realized by Government.		
On account of current year.	Outstanding Balances on account of former years, on the 31st July 185 — .	Total.
28	29	30

Realizations and Remissions, up to 31st July 185—.			
Collections on account of current year.	Collections on account of former years.	Irrecoverable Balances written off on account of former years.	Total.
31	32	33	34

A.

REVENUE YEAR.)

the *Collectorate for the Land Revenue year* A. D. 185 -5 , *and* A. D. 185 -5 , *together outstanding on account of current and former years, up to the 1st August of each year.*

185 -5		
Balances outstanding on the 1st August 185 .		
On account of current year.	On account of former years.	Total.
35	36	37

SUBSIDIARY

FOR THE

CONTRASTED SUBSIDIARY STATEMENT, exhibiting the GROSS and NET LAND

together with the Amount of Realizations, Balances written off, and Balances

A. D.

No.	Names of Talookas.	Total or Revenue realizable for current Land Revenue year, Col. 11 of Statement A.	Amount of Instalments due after 30th April, and carried to next financial year.	Amount of Instalments of current financial year, to 30th April.
		1	2	3
	Total.....			

Amount of Instalments brought forward on account of the months of May, June, and July, of last financial year.	Revenue to be realized by Government, up to 30th April.		
	On account of current year, as per Cols. 3 and 4 of this Statement.	Outstanding balances on account of former years on the 30th April.	Total.
4	5	6	7

Realizations and Balances written off, up to 30th April.			
Collections on account of current year.	Collections on account of former years.	Irrecoverable Balances written off on account of former years.	Total.
8	9	10	11

185 -5 .

Balances outstanding on the 1st May.

On account of current year.	On account of former years.	Total.
12	13	14

Total, or Revenue realizable for current Land Revenue year, Col. 28 of Statement A.	Amount of Instalments due after 30th April, and carried to next financial year.	Amount of Instalments of current financial year up to 30th April.	Amount of Instalments brought forward on account of the months of May, June, and July, of last financial year.
15	16	17	18

Revenue to be realized by Government, up to 30th April.

On account of current year, as per Cols. 17 and 18 of this Statement.	Outstanding Balances on account of former years, on the 30th April.	Total.
19	20	21

Realizations and Balances written off, up to 30th April.			
Collections on account of current year.	Collections on account of former years.	Irrecoverable Balances written off on account of former years.	Total.
22	23	24	25

FORM A.

FINANCIAL YEAR.

REVENUE of the *Collectorate for the Financial years* A. D. 185 -5 *and* 185 -5

still outstanding on account of current and former years, up to 1st May of each year.

185 -5 .

Balances outstanding on the 1st May.			
On account of current year.	On account of former years.	Total.	
26	27	28	

Form B.

ANALYTICAL STATEMENT of Balances outstanding on the 1st August 185 — , on account of the Land Revenue in the Collectorate of , as shown in Column 20 of Statement A for the Land Revenue Year.

No.	Amount.			Remarks by the Collector.	Current year's Balances.			Former years' Balances.			Total.		
	7448	6	9	RECOVERABLE.									
				Talooka A	0	0	0	975	5	9	975	5	9
				Do. B	1838	0	6	1391	1	10	3229	2	4
				Do. C	1944	13	6	1299	1	2	3243	14	8
				&c.							7448	6	9
				(Now give details.)									
	1848	0	4	IRRECOVERABLE.									
				Talooka A	49	0	0	0	0	0	49	0	0
				Do. B	376	0	0	927	0	0	1303	0	0
				Do. C	27	0	4	469	0	0	496	0	4
				&c.							1848	0	4
				(Now give details.)									
	775	3	3	DOUBTFUL AND DISPUTED.									
				Talooka A	67	2	4	401	0	9	468	3	1
				Do. B	0	0	0	307	0	2	307	0	2
				&c.							775	3	3
				(Now give details.)									
				ABSTRACT.									
				Recoverable	3782	14	0	3665	8	9	7448	6	9
				Irrecoverable	452	0	4	1396	0	0	1848	0	4
				Doubtful and Disputed	67	2	4	708	0	11	775	3	3
				Total	4302	0	8	5769	9	8	10,071	10	4

FORM C.

FORM

CONTRASTED STATEMENT, showing the Amount of TUGGAI ADVANCES made in the and Sums written off, and of the Balances still outstanding on account

No.	Talookas in which the Advances were made.	Number of Villages in which the Advances were made.	Tuggài.	
			Advances made for the current year.	Balances of former years' Tuggài as they stood on the 31st July.
		1	2	3
	Total.....			

Abstract.

	In A. D. 185 -5 .	In A. D. 185 -5 .
Advances of Tuggài made		
Total Collections (on account of current and past years) up to 31st July.		
Amount written off as Irrecoverable		
Balance outstanding on 1st August		

A. D. 185 -5 .

Total.	Collections made and Balances written off up to 31st July.			
	Collections on account of the current year's Advances.	Collections on account of former years' Advances.	Amount written off as Irrecoverable on account of former years' Advances.	Total.
4	5	6	7	8

Balances outstanding on 1st August.			Tuggài.		
On account of current year's Advances.	On account of former years' Advances.	Total.	Advances made for the current year.	Balances of former years' Tuggài, as they stood on 31st July.	Total.
9	10	11	12	13	14

C.

Collectorate of *for the years* A. D. 185 -5 *and* 185 -5 *, as also the Amount of Collections of the current and past years' Advances, on the* 1st *August of each year.*

185 -5 .

Collections made and Balances written off up to 31st July.				Balances outstanding on 1st August.		
Collections on account of the current year's Advances.	Collections on account of former years' Advances.	Amount written off as irrecoverable on account of former years' Advances.	Total.	On account of current year's Advances.	On account of former years' Advances.	Total.
15	16	17	18	19	20	21

FORM

STATEMENT showing the objects of the TUGGAI ADVANCES made in the current year A. D. *the portion either recovered or written off, and*

Talookas.	Objects of the Advances.	Advances of the Tuggài made in A. D. 185 -5 , and the Balances remaining of former years, as per column 4 of Statement C.			
		Instalments which fall due in future years.	Instalments which are due in the current year.	Instalments which fell due in past years.	Total.
		1	2	3	4

Collections made and Balances written off from 1st August to 31st July, on account of the amount entered in Col. 4.

Collections.			Balances written off.			
On account of Instalments due in current year, in payment of Advances made in former years.	On account of Instalments which fell due in former years.	Total Collections.	On account of Instalments which fall due in future years.	On account of Instalments which fall due in the current year.	On account of Instalments which fell due in past years.	Total Balances written off.
5	6	7	8	9	10	11

Balances outstanding on the 1st August.			
Balances which fall due in future years.	Balance due in the current year.	Balances which fell due in former years.	Total Balances outstanding on 1st August.
12	13	14	15

D.

185 -5 , *and still outstanding for past years; also whether actually due or recoverable by Instalments, the Balances on* 1*st August of each year.*

Remarks.
16

Form E.

ANALYTICAL STATEMENT of BALANCES OUTSTANDING, on the 1*st August* 185 *, on account of Advances of Tuggài, in the Collectorate of as shown in Column* 11 *of Statement C.*

No.	Amount.	Remarks by the Collector.			
			Current year's Balances.	Former years' Balances.	Total.
		Note.—In framing this Statement the entries should be given in the manner prescribed in Statement B.			

Form F.

STATEMENT exhibiting the Extent of each description of CULTURABLE LAND BEARING ASSESSMENT, in the Government Villages of the several Talookas of the Collectorate, and contrasting the Extent of each Description of Cultivation, during the Official years 185 *and* 185 .

Number.	Land Measure.	Names of Talookas.	No. of Government Villages.	Total extent of Culturable land bearing assessment as Khalsat.				Cultivated.								Remarks.
								185 -5 .				185 -5 .				
				Irrigated.	Dry Crop land.	Rice land.	Total.	Irrigated.	Dry Crop land.	Rice land.	Total extent of all description of land.	Irrigated.	Dry Crop land.	Rice land.	Total extent of all description of land.	

FORM

FOR THE LAND

CONTRASTED STATEMENT showing the Amount of SAYER REVENUES, being that

together with the Realizations, Remissions, and Sums written off, and the Balances

No.	Items.	A. D.				
		Gross Revenue.	Remissions on account of current year, up to 31st July.	Remainder.	Deductions, being Revenue not collected by Government.	Revenue: On account of current year.
		1	2	3	4	5

to be realized by Government.		Realizations and Remissions up to 31st July.			
Amount due on account of former years on the 31st July.	Total.	Collections on account of current year.	Collections on account of former years.	Irrecoverable Balances written off on account of former years.	Total.
6	7	8	9	10	11

Balances outstanding on the 1st August.			Gross Revenue.	Remissions on account of current year, up to 31st July.	Remainder.	Deductions, being Revenue not collected by Government.	Revenue
On account of current year.	On account of former years.	Total.					On account of current year.
12	13	14	15	16	17	18	19

G.

REVENUE YEAR.

from other sources than the Land, of the *Collectorate, for* A. D. 185 -5 *and* A. D. 185 -5

still outstanding on account of current and former years, up to 1st August each year.

A. D. 185 -5 .

to be realized by Government.		Realizations and Remissions up to 31st July.				Balances outstanding on the 1st August.		
Amount due on account of former years on the 31st July.	Total.	Collections on account of current year.	Collections on account of former years.	Irrecoverable Balances written off on account of former years.	Total.	On account of current year.	On account of former years.	Total.
20	21	22	23	24	25	26	27	28

153

Collector.

SUBSIDIARY FORM OF

FOR THE

CONTRASTED SUBSIDIARY STATEMENT showing the Amount of the SAYER REVENUE,

and A. D. 185 -5 *, together with the Realizations, Remissions, and Sums written off, and the*

No.	Items.	A. D.		
		Total or Revenue realizable for current Land Revenue year, Col. 5 of Statement G for the Land Revenue Year.	Amount of Instalments due after 30th April, and carried to next financial year.	Amount of Instalments of current financial year, up to 30th April.
		1	2	3

Amount of Instalments brought forward on account of the months of May, June, and July, of last financial year.	Revenue to be realized by Government, up to 30th April.		
	On account of current year, as per Cols. 3 and 4 of this Statement.	Outstanding Balances on account of former years on the 30th April.	Total.
4	5	6	7

Realizations and Balances written off, up to 30th April.			
Collections on account of current year.	Collections on account of former years.	Irrecoverable Balances written off on account of former years.	Total.
8	9	10	11

Balances outstanding on the 1st May.		
On account of current year.	On account of former years.	Total.
12	13	14

Total, or Revenue realizable for current Land Revenue year, Col. 19 of Statement G for the Land Revenue Year.	Amount of Instalments due after 30th April, and carried to next financial year.	Amount of Instalments of current financial year up to 30th April.	Amount of Instalments brought forward on account of the months of May, June, and July, of last financial year.
15	16	17	18

185 -5 .

Revenue to be realized by Government up to 30th April.

On account of current year, as per Cols. 17 and 18 of this Statement.	Outstanding Balances on account of former years, on the 30th April.	Total.
19	20	21

Realizations and Balances written off up to 30th April.			
Collections on account of current year.	Collections on account of former years.	Irrecoverable Balances written off on account of former years.	Total.
22	23	24	25

STATEMENT G.

FINANCIAL YEAR.

being that from other Sources than the Land, of the *Collectorate, for* A. D. 185 -5

Balances still outstanding on account of current and former years, up to the 1st May of each year.

185 -5

Balances outstanding on the 1st May.		
On account of current year.	On account of former years.	Total.
26	27	28

Collector.

FORM H.

ANALYTICAL STATEMENT of Balances outstanding on the 1st August 185 — *, on account of the Sayer Revenue of the Collectorate of , as shown in Column* 14 *of Statement G for the Land Revenue Year.*

No.	Amount.	Remarks by the Collector.			
			Current year's Balances.	Former years' Balances.	Total.
		NOTE.—In framing this Statement the entries should be given in the manner prescribed in Statement B.			

Form I.

CONTRASTED STATEMENT of Actual Charges of Collection in the Collectorate of *for the years* 185 —
and 185 — .

Items of Charge.	185 — .		185 — .	
	Amount.	Per-centage on the Revenue shown in Columns 8 and 9 of Statement G.	Amount.	Per-centage on the Revenue shown in Columns 22 and 23 of Statement G.
1. Allowances to Covenanted European Officers				
2. Hoozoor Kutcherry Charges				
3. District ditto ditto.....				
4. District Travelling Allowance of European Officers, and Batta of Native Officers				
5. District Hereditary Officers				
6. Village Officers, Hereditary and Stipendiary				
7. Village Expenses.....				
Total....				

JUMMABUNDY.—Instructions regarding the Entry of the Revenue of Alienated Lands in Statement A, that accompanies the Collectors' —— Reports.

Circular.

No. 708 of 1846.

To ——————.

SIR,—I have the honor to inform you that the Honorable the Governor in Council, having reconsidered the question of the entry of the Revenue of Alienated lands in Statement A accompanying the Annual Reports, has been pleased to determine, in supersession of former orders, that quit-rent lands shall be entered at their full estimated revenue in column 4, and the difference between the full revenue and the quit-rent entered in columns 5 or 6* (according to the nature of the alienations), and in column 8, — leaving the quit-rent only to be entered in column 9: you will therefore be pleased to take timely measures for having information so prepared as will admit of this amendment being carried into effect in the statements accompanying your Report for 1845-46, and in doing so it will be most convenient to adjust columns 21 to 24 according to it, reconciling their contents with those of columns 4 to 8 of the statements which accompanied your Report for 1844-45 in the column of remarks.

2. It has also been determined that service alienations *within* alienated villages shall be separately shown in column 6, instead of being included, as was formerly directed, in the general alienations in column 5: you will therefore give effect to this amendment also, and adjust it in the same way as the last.

3. In other respects the former instructions remain unaltered, that is, alienations must be entered at their full estimated amount, and not accommodated to the variations in cultivation for the season.

4. A Murrathee memorandum, explanatory of the above, is herewith enclosed for the information of your Duftur.

I have, &c.,
R. K. PRINGLE,
Revenue Commissioner N. D.

Bombay, Rev. Com.'s Camp,
24th April 1846.

No. 5555 of 1849.

Territorial Department—Revenue.

To A. N. SHAW, Esq., Revenue Commissioner N. D.

SIR,—In advertence to the Government letter No. 1743†, to the address of your

* These columns correspond with cols. 7 and 8 of the Jummabundy Statement A now in use.

Column 7	corresponds with	col. 9 of	do.	do.
8	do.	col. 10 of	do.	do.
9	do.	col. 11 of	do.	do.
and columns 21 to 24	correspond with	cols. 24 to 27 of		do.

(May 1856.)

† The Revenue Commissioner's Circular No. 708, given above, embodies the instructions contained in this Government letter.

predecessor, dated the 16th April 1846, relative to the mode of bringing to account the amount of Alienated Revenue, in the Collectors' Annual Statement, I have been directed by the Right Honorable the Governor in Council to transmit, for your information and guidance, and for communication to the Collectors in your Division, the accompanying extract, para. 21 of a despatch from the Honorable the Court of Directors, dated the 18th July last, No. 14, containing its views on the subject.

I have, &c.,
A. MALET,
Chief Secy. to Government.

Bombay Castle,
11th September 1849.

Extract para. 21 of a Despatch from the Honorable the Court of Directors, dated the 18th July 1849, No. 14.

"Para. 21. We approve the mode which you directed to be adopted by which the whole Revenue, whether retained by Government or assigned to others, will be brought on the accounts, the amount of such Alienated Revenue being afterwards deducted so as to show the sum actually receivable by Government as Land Revenue."

51 to 56. Instructions relative to the mode of bringing to account the amount of Alienated Revenue in the Collectors' Annual Statement.

JUMMABUNDY.—General Headings under which the several items of Land Revenue should be consolidated, &c.

No. 1104 of 1847.

To the COLLECTORS of AHMEDABAD, BROACH, and SURAT.

SIR,—I have the honor, with reference to the letter No. 1419, of 21st October 1845, from this Department, relative to the classification of the items of Revenue, to enclose copy of a letter and its accompaniments No. 1096 of 3rd instant, to the Collector of Kaira, in order to the adoption of the same course in your Zillah, should you see no special objection thereto, or in the other event to beg that the objection may be communicated.

I have, &c.,
D. A. BLANE,
Revenue Commissioner N. D.

Poona, Rev. Com.'s Office,
5th July 1847.

No. 1096 of 1847.

To J. WEBB, Esq., Collector of Kaira.

SIR,—I have the honor, in reply to your letter No. 323, of 20th June 1846, transmitting a Goojràthèe statement of the proposed classification of the present

multifarious items of revenue in your Accounts, to enclose a Goojràthee memorandum, indicating the arrangement which occurs to me as the best calculated for the simplification of all General Returns, still retaining a record of the details for reference as occasion may require.

2. The corresponding terms in English for the general Goojràthee headings are specified in the annexed list.

I have, &c.,
D. A. BLANE,
Revenue Commissioner N. D.

Poona, Rev. Com.'s Office,
3rd July 1847.

List of General Headings under which the several items of Land Revenue are proposed to be consolidated.

No. 1. Land Revenue from cultivated Government land.
No. 2. Land Revenue from uncultivated Government land.
No. 3. Cesses of Government land.
No. 4. Revenue from Alienated Lands.
No. 5. Revenue from Wuttuns and Inams under Attachment.
No. 6. Items of Debit and Credit.

N. B.—The details, though classified under the above headings, to be shown in the Village Chittas or Summaries of the Annual Settlement, and in the Ryuts' Khatas, pending the further simplification of a consolidated Beeghotee; but in all further Summaries and Returns for exhibiting the combined aggregate for the Talooka, &c. the general heading only need be retained. The Talooka and Zillah accounts will exhibit only Land and Sayer as at present.

D. A. BLANE,
Revenue Commissioner N. D.

Circular.

No. 1564 of 1852.

From E. G. FAWCETT, Esq., Revenue Commissioner N. D.,
To S. MANSFIELD, Esq., Acting Collector of Ahmedabad.

SIR,—In explaining the fluctuations in the items of Revenue in the Jummabundy Reports, I have the honor to request that you will have the goodness, for the future, to notice them both under Increase and Decrease in the order of the classification of the consolidated principal heads prescribed by my predecessor, Mr. Blane, in the list accompanying his letter No. 1104, of 5th July 1847.

I have, &c.,
E. G. FAWCETT,
Revenue Commissioner N. D.

Poona, Rev. Com.'s Office,
Dated 21st June 1852.

JUMMABUNDY.—A Memo. in the Native language, giving a description of the items which compose the amount under Column 2 of the Subsidiary Statements A and G, to be submitted by the Collectors.

Circular.

No. 175 of 1854.

From E. G. FAWCETT, Esq., Revenue Commissioner N. D.,

To all the COLLECTORS.

SIR,—I have the honor to request that you will have the goodness to submit, for the future, a memo., in the Native language, giving a description of the items which compose the amount under column 2 of the Subsidiary Statements A and G, accompanying your Annual Revenue Report.

I have, &c.,

Camp Dhoolia, Rev. Com.'s Office,
17th January 1854.

E. G. FAWCETT,
Revenue Commissioner N. D.

JUMMABUNDY.—The number of Hamlets as well as Villages that may be deserted, to be shown in a foot note to Statement A accompanying the Collectors' —— Reports.

Extract para. 4 *of Government Letter No.* 1514, *of* 20*th February* 1851, *reviewing the Tanna Jummabundy Report for* A. D. 1847-48.

"Para. 4. The Governor in Council presumes that the figures entered in columns 1, 2, and 3 of Statement A, are intended to show the number of villages only, and not the number of hamlets as well as villages in the Collectorate. Under instructions from Government issued to the Revenue Commissioner Southern Division in 1847,* the Collectors of his Division show in Statement A, accompanying their Annual Land Revenue Reports, the number of both villages and hamlets in their respective Collectorates. The hamlets are added at the foot of each column 1, 2, and 3, after the sum total of villages has been added together. In a foot note to that Statement, the Collectors likewise state how many villages and hamlets of those entered in the three columns are deserted.† This mode of entering the number of villages and hamlets in Statement A should, his Lordship in Council directs, be likewise uniformly adopted by the Collectors in your Division."

* Government Letter No. 3290, of 12th August 1847. (See under "Hamlets.")

† That is, Villages and Hamlets, the former sites of whose houses are no longer occupied by dwellings, and whose cultivable lands are tilled by the Ryuts of neighbouring villages.

JUMMABUNDY.—Alienated Villages placed under Attachment, and the Revenues of which are kept in deposit pending enquiry, are not to be thrown out of the List of Doomalla Villages into that of Khalsat, nor are their Revenues to be exhibited as Government realizations.

Circular.

No. 2184 of 1852.

From E. G. FAWCETT, Esq., Revenue Commissioner N. D.

To S. MANSFIELD, Esq., Acting Collector of Ahmedabad.

SIR,—I have the honor to intimate, as per margin, for your future information and guidance, the decision of Government dated the 17th instant, No. 5423, regarding the exhibition of Alienated Villages and their revenue in the accounts while under attachment.

"Government are of opinion that Alienated Villages placed under attachment, and whose revenues are kept in deposit, pending enquiry as to the validity of the title under which they are claimed, should not be thrown out of the list of Doomalla Villages into that of Khalsat, nor their revenues exhibited as Government realizations."

I have, &c.,
E. G. FAWCETT,
Revenue Commissioner N. D.

Poona, Rev. Com.'s Office,
24th August 1852.

JUMMABUNDY.—Lands occupied as Salt-Pans to be included in Statement F accompanying Collectors' —— Reports, the extent so included to be shown in a *Foot note.*

Circular.

No. 2327 of 1850.

To all the COLLECTORS (except KHANDEISH and KAIRA).

SIR,—With reference to your letter No. —— of ————, I have the honor to acquaint you, that the lands occupied as Salt-pans should hereafter be brought into Statement F, the measurements being taken as they now stand.

2. In a foot note the quantity of land so inserted should be given for information; and for any further particulars you may require on this subject you are requested to have the goodness to apply to the Collector of Continental Customs and Excise.

I have, &c.,
A. N. SHAW,
Revenue Commissioner N. D.

Poona, Rev. Com.'s Office,
10th September 1850.

JUMMABUNDY.—Grass Lands incapable of grain cultivation, to be excluded from Statement F accompanying Collectors' —— Reports.

Extract para. 4 *of a Letter from the Collector of Surat, No.* 394, *dated* 18*th July* 1851.

"Para. 4. With regard to the inclusion in Statement F of grass lands paying assessment, I am respectfully of opinion, that such lands are fully as much entitled to rank as cultivated as if they grew corn or sugarcane,—grass or meadow lands represent the stepping stone from the culturable to the cultivated. Reclaimed from the waste, the land intended for grass has to be enclosed, levelled, and its holes and

inequalities filled up, and in that state it pays a certain assessment, thereafter, according to circumstances: this 'Beed' or grass land may be turned into the highest state of productiveness, and gradually arrive at the maximum assessment of the District."

Extract para. 16 *from Letter No.* 1905, *of* 23*rd March* 1852, *from Government to the address of the Revenue Commissioner N. D.*

"Para. 16. The Governor in Council is of opinion that lands capable of producing grain crops, but thrown into grass, under the circumstances set forth by Mr. Davies, and paying assessment, should be entered in the Statement F as 'culturable'; and 'cultivated' lands incapable of grain cultivation, or, although capable, left waste and disposed of as grass lands, should certainly *not* be entered as 'cultivated'; whether or no they should be entered as 'culturable' must be determined by whether or no they are capable of producing grain crops."

JUMMABUNDY.—Details of the "Deductions" from the Gross Revenue and of the "Charges of Collection" to be furnished in the Native Language. The *Net* Receipts from the District Dàk, to be included in the Revenues exhibited in Statement G accompanying the Collectors' —— Reports.

Circular.

No. 1334 of 1844.

To all the Collectors of Land Revenue N. D. (except Ahmedabad.)

Sir,—I have the honor to request your attention to the following points arising out of the correspondence on the Revenue Reports from the Ahmedabad Collectorate for 1842-43.

2. You will have the goodness to submit a detailed statement in the Native language of the items of deductions from the gross revenue included in columns 1 to 5* of Statement A, in order that uniformity in respect to them may be secured in the several Collectorates.

3. You will in like manner, and in view to the same object, submit a detailed account in the Native language of the items which go to make up the statement of "Charges of Collection."

4. I beg you will inform me whether there are any items of disbursement in your Collectorate, except those of Izafut and Gaon Khurch, the details of which do not come into your English Accounts, nor are subject to the control of the Civil Auditor; also, that you will furnish a classified statement of the items composing the Izafut and Gaon Khurch, in order that it may be ascertained whether there are among them any which ought to be made charges on the General Revenue and subjected to detailed audit.

* These columns correspond with columns 4, 7, 8, 9 and 10 of the present Form of the Jummabundy Statement A.—(May 1856.)

5. You will in future include the net receipts from the District Dàk in the revenues exhibited in Statement G, accompanying your general report, but not those, if there be any, from the General Post Office.

I have, &c.,
R. K. PRINGLE,
Revenue Commissioner N. D.

Rev. Com.'s Camp, Alibagh,
25th October 1844.

JUMMABUNDY.—The item of "Rent of Government Bungalows" to be included in the Miscellaneous items of Sayer Revenue in Statement G appended to Collectors' —— Reports.

No. 1569 of 1853.

Territorial Department—Revenue.

From W. COURTNEY, Esq., Revenue Commissioner S. D.,

To A. MALET, Esq., Chief Secy. to Government.

SIR,—With reference to the 40th para. of my letter No. 851, of 4th April last, reviewing the Annual Report of the Belgaum Collectorate for the official year A. D. 1851-52, I have the honor to state, for the information of the Right Honorable the Governor in Council, that on making a reference on the subject of the new item of "Rent of Government Bungalows" to the Accountant General, Mr. Elliot states—"The rule is to credit the item in question in the Financial Statements subordinate to 'Charges general of the Civil Department, Ordinary,' and to bring it to account in the Books under the independent head of House-Rent."

Letter No. 2, dated 2nd May 1853.

2. On making enquiries from the other Collectors of the Division how they had interpreted and acted on the Accountant General's instructions of 18th August 1851, No. 498, directing a distinct head of "House-Rent" to be opened, quoted by Mr. Inverarity in his Revenue Report as the authority for entering the new item in Statement G appended to his Report, I learn that, with the exception of the Collector of Sholapoor, who did not enter it at all in Statement G, the other Collectors included it among the Miscellaneous items of Sayer Revenue in that Statement, and entered it in the Books under the independent head of House-Rent, crediting it in the Financial Statements subordinate to "Charges general of the Civil Department, Ordinary," as directed by the Accountant General.

3. The difference in practice then, in the several Collectorates of the Division, is this: the Collector of Belgaum enters "House-Rent" by the addition of the new item in Statement G; the Collector of Sholapoor omits it altogether from that Statement; and the other Collectors include it in the item of "Miscellaneous items of Sayer Revenue" in the Statement alluded to. The practice followed by Mr. Inverarity, if Government do not object to the additional item in Statement G, appears, on the whole, the simplest and clearest arrangement; but if any addition to the items

already directed to be shown separately in the Statement in question be considered inexpedient, there would seem no objection to following the practice observed in the Poona, Ahmednuggur, Dharwar, and Rutnageeree Zillahs, and continuing to include the item of "House-Rent" among "Miscellaneous items of Sayer Revenue," the only alteration which seems essentially necessary being the introduction of an uniform practice throughout.

I have, &c.,
W. COURTNEY,
Revenue Commissioner S. D.

Poona, Rev. Com.'s Office,
17th June 1853.

No. 4366 of 1853.

Territorial Department—Revenue.

To the REVENUE COMMISSIONER N. D.

Copy of the Resolution passed by Government under date 30th July 1853, on a Letter from the Revenue Commissioner S. D., No. 1569, dated the 17th June 1853, regarding the opening of the new Head of Rent of Government Bungalows in the Statement G appended to the Collectors' Annual Revenue Reports.

The method of entry in Statement G, the only point at issue, is of no great importance; and Government incline therefore to the adoption of the method pursued by the majority of the Collectors as involving the less alteration.

A. MALET,
Chief Secretary to Government.

JUMMABUNDY.—The "Cost of Collection" is to be calculated on the *actual collections* on account of the current year's Revenue and former years' Balances.

Extracts from a Letter from the Revenue Commissioner S. D., to the address of Government, No. 3997, of the 12th December 1851.

"Para. 2. The Collector of Poona advocates the mode suggested in his communication of 22nd February 1850 * * * viz. that of calculating the "Cost of Collection" for the *official year* on the current year's Revenue and outstanding Balances actually collected during the same year.

"3. Alike opinion is expressed by the Collectors of Sholapoor, Rutnageeree, Belgaum and Dharwar; but the Collector of Ahmednuggur * * * proposes that the Cost of Collection should be shown for 12 months, *i. e.* from 1st August to 31st July * * * .

"4. I beg to express my concurrence in the opinion of the majority of the officers as above alluded to, conceiving the *official year* to be the more correct period to be adopted."

No. 265 of 1852.

Territorial Department—Revenue.

To W. COURTNEY, Esq., Revenue Commissioner S. D.

SIR,—I have been directed to acknowledge the receipt of your letter No. 3997, dated the 12th ultimo, with enclosure, relative to the period for which the Charges

of Collection should be calculated and exhibited in Statement I accompanying Jummabundy Reports, and to inform you, that the Right Honorable the Governor in Council concurs in the opinion expressed by you on the subject.

2. A copy of this letter will be sent to the Revenue Commissioner Northern Division.

I have, &c.,
H. E. GOLDSMID,
Secretary to Government.

Bombay Castle,
12th January 1852.

JUMMABUNDY.—District Travelling Allowances to European Officers, and Batta to Native Servants, to be shown separately in Statement I accompanying —— Reports, and to be distinguished from the extra charge on account of Establishment.

Extract para. 31 *of Government Letter to Revenue Commissioner N. D., No.* 5287, *of* 12*th May* 1851.

"Para. 31. The further information called for by you, relative to the larger disbursements of Batta, has since been received with your memorandum No. 236, of 25th January 1851. It would have been as well if the District Travelling Allowance of the European Officers, and Batta of Native servants, had been shown separately, as also distinguished from the extra charge on account of Establishment."

JUMMABUNDY.—A Statement of the Villages in which the Collectors and their Assistants scrutinized the Accounts, accompanied by a Report on their condition, and especially on the Ryuts' Receipt Books, to be submitted by the Collectors with their —— Reports.

Extract para. 27 *of Government Letter No.* 1514, *of* 20*th February* 1851, *to the Revenue Commissioner N. D.*

"Para. 27. The information afforded by Messrs. Law and Sims, in the reports now under notice, on the state of the District and Village Accounts, is not so full as Government could wish; a statement, showing the villages in which the Collector and his Assistants scrutinized these Accounts, accompanied by a report on their condition, and especially on the Ryuts' receipt books should, as pointed out by you (para. 23), have been submitted by Mr. Law."

Extract paras. 1 *and* 2 *of the Revenue Commissioner's (N. D.) Circular Letter No.* 1214, *dated the* 14*th May* 1852.

"Para. 1. With reference to my predecessor's Circular No. 2708, of 29th September last, I have the honor to forward, under instructions from Government, a form of Statement to be adopted in supersession of those above referred to, showing the villages and stations visited by your Deputed Assistants, and a similar Statement is to be furnished of the places visited by yourself."

"Para. 2. I beg to append for your information and guidance extract para. 29 of a Government letter to the Revenue Commissioner Southern Division, No. 3154, of 6th instant, forwarded to me by Government, with memorandum No. 3162, of 6th idem, directing that the result of the examination of Accounts and test of that examination are to be forwarded in the Native language."

FORM.

STATEMENT *showing the Number and Names of the Villages of his Charge, visited by , Assistant Collector, during the year* 1851-52, *furnished agreeably to the Revenue Commissioner's Order of . No. .*

Assistant's Name.	Date of leaving the Sudder Station	Talookas forming the Assistant's charge.	In 1851-52.			In 1850-51.			Remarks.
			Villages encamped in during the Season.		Length of Stay in each Village.	Villages encamped in during the Season.		Length of Stay in each Village.	
			Number and Names.	In what Talooka.		Number and Names.	In what Talooka.		
1	2	3	4	5	6	7	8	9	10

All Head Quarter Stations of Mamlutdars and Mahalkurrees to be marked, the former with * and the latter with †.

Extract para. 29 *of a Government Letter to the Revenue Commissioner S. D., No.* 3154, *dated* 6*th May* 1852.

"Para. 29. * * * * * * The statements relative to the examination of Accounts, and test of that examination, should be forwarded to you in Murrathee or Canarese, and a brief account as to whether they are satisfactory or not, be furnished in your review of the Annual Reports. English Returns are not required."

JUMMABUNDY.—Form of Statement J, to accompany Collectors' —— Reports, showing the Charges incurred on account of Repairs to Tanks, Wells, &c. *See Accompaniment to Revenue Commissioner's Letter No.* 607, *of* 24*th February* 1854, *under* "Tanks, Wells, &c."

JUMMABUNDY.—Collectors to mention in their —— Reports the proportions in which the Cultivated Land is applied to the production of grain and other articles of export or manufacture.

Circular.

No. 1430 of 1844.

To all the COLLECTORS (except KHANDEISH).

SIR,—In commenting on the Annual Report from one of the Collectorates of this Division for last year, a wish has been expressed by Government to know the proportions in which the cultivated land is applied to the production of grain and of other articles, particularly those which are valuable for export or manufacture. I therefore request you will have the goodness to furnish this information in your Annual Reports.

I have, &c.,
R. K. PRINGLE,
Revenue Commissioner N. D.

Rev. Com.'s Camp, Alibagh,
19th November 1844.

Extract para. 35 *of a Letter from the Acting Collector of Khandeish, No.* 1624, *dated* 23*rd November* 1847.

"Para. 35. In connection with this Appendix F, I must beg leave to include a Synopsis showing the proportion that each crop cultivated during the past year bears to the whole products of the Collectorate.

Synopsis.

No.	Names of Talookas.	Proportion of Khurreef.	Proportion of Rubbee.	Crops Grown.									Remarks.
				Jowaree.	Bajree.	Cotton.	Teel.	Wheat.	Gram.	Indigo.	Linseed.	Sugar Cane, Rice, and a few Sundries.	
1	Dhoolia	98·44	1·56	1·56	68·75	7·81	14·6	1·56	...	1·56	...	4·70	These are taken in Decimals of a Hundred.
2	Amulnair	89·6	10·94	14·6	45·31	6·25	10·94	4·69	1·56	3·12	1·56	12·49	
3	Erundole	87·50	12·50	34·37	28·12	12·50	7·81	6·25	3·12	3·12	...	4·71	
4	Bhargaum	95·31	4·69	37·50	29·69	12·50	6·25	1·56	1·56	3·12	1·56	6·26	
5	Chaleesgaum	87·50	12·50	4·69	50·0	4·69	10·94	3·12	3·12	...	...	23·44	
6	Malligaum	95·31	4·69	4·69	75·0	...	9·37	1·56	...	...	...	9·38	
7	Bhaglan	67·19	32·81	...	39·6	...	3·12	17·19	3·12	...	...	37·51	
8	Pimpulnair	87·50	12·50	..	53·12	3·12	12·50	7·81	1·56	...	...	21·89	
9	Nundoorbar	85·94	14·6	6·25	53·12	6·25	15.62	6·25	3·12	1·56	...	7·83	
10	Sooltanpoor	67·19	32·81	...	10·94	15·62	9·37	12·50	3·12	...	...	48·45	
11	Thalnair	92·19	7·81	15·62	48·44	6·25	12·50	6·25	...	6·25	...	4·69	
12	Choprah	92·19	7·81	56·25	14·6	6·25	6·25	4·69	3·12	3·12	3·12	3·14	
13	Yawul	85·94	14·6	39·6	23·44	9·37	4·69	4·69	1·56	...	...	17·19	
14	Saodah	78·13	21·87	37·50	9·37	6·25	9·37	14·6	3·12	1·56	1·56	17·21	
15	Nusseerabad	78·13	21·87	39·6	15·62	10·94	7·81	10·94	3·12	1·56	1·56	9·39	
16	Jamnair	98·44	1·56	57·81	12·50	12·50	6·25	1·56	...	...	...	9·38	
	Total.....	85·94	14·6	21·86	35·94	7·81	9·37	6·25	1·56	1·56	0·58	15·17	

From this it will be seen that the Khurreef of the whole Province exceeds the Rubbee in the proportion of about six to one. Jowaree and Bajree are the chief components of the former, along with a portion of Cotton which is grown about one-third less than the Jowaree, and is exceeded by the Bajree by about four-fifths. This is to be accounted for by the two last named crops forming the staple food of the population, and although it is much to be desired that the culture of Cotton in the Province should become more extended than this memorandum shows it to be, I do not imagine that it will ever approach very near to the extent the others have attained, and it will be a matter of much interest to watch annually the proportion that it bears to the other products. I doubt not that the reduction of assessment and improved means of communication with the ports of exportation will, in time, effect all that can be desired in this respect."

Extract para. 19 *of Government Letter No.* 5284, *of the* 12*th May* 1851, *reviewing the Khandeish Jummabundy Report for* A. D. 1846-47.

" Para. 19. Although the Synopsis in para. 35 cannot, in absence of correct Survey measurements, and under a system of growing different crops in the same field, or number be accurate, still, as affording an Estimate (however rough) of the relative quantity of land growing each description of crop in each District, it is

most useful for reference, and Government would have greatly preferred, had the information called for in the Circular No. 1430, dated 19th November 1844, which the Revenue Commissioner appears, from para. 19 of the Surat Report for 1847-48, to have written consequent on the instructions in para. 13 of Government letter No. 3925, of 8th November 1844, been furnished, in a similar form to that adopted by Mr. G. Inverarity, by the other Collectors of your Division."

JUMMABUNDY.—Personal Examination of the Ryuts as to past payments, enjoined on the Collectors.

Extract para. 21 *of Government Letter No.* 7338, *dated* 16*th July* 1851.

"Para. 21. Mr. Bagshaw's representations of the ignorance displayed by the Kolee Puruj regarding their money payment, are confirmed by what Mr. Bellasis states in his Report of 15th October 1850, No. 42,* on general subjects affecting the District. The case of these people must, however, be a rare and exceptional one; for there are few Ryuts on this side of India who do not know how much money they have paid direct, or through others, as Revenue. When the information is deficient, the fault generally rests with the enquirer, not with the party questioned."

* Forwarded to Government with the Revenue Commissioner's Letter No. 1428, dated 22nd May 1851.

Extract para. 22 *of Government Letter No.* 2044, *dated* 26*th March* 1852.

"Para. 22. His Lordship in Council is dissatisfied with the manner in which Mr. Travers writes on the subject. His argument that the Ryuts are likely to forget what they have actually paid during the season, is one which Government do not hesitate to set aside as incorrect; the fact of his attaching no importance to a personal examination of the Ryuts as to past payments, occasions surprise and regret; and his opinion of the possibility of the Hereditary and District Village Officers being persuaded to do their duty without their work being constantly subject to test by the European Officers, is one that Government reject as altogether unsound."

JUMMABUNDY.—Instructions regarding the inclusion of Uncultivated and Fallow Lands in the Revenue Settlement. No modifications in the preparation of Annual Revenue Reports to be made without the approval of the Revenue Commissioner.

Extract, being paras. 6 *and* 7 *of a Letter from the Secretary to Government, No.* 5601, *dated* 14*th September* 1849, *to the Revenue Commissioner N. D.*

"Para. 6. In regard to the question of including the uncultivated and fallow lands in the Revenue Settlements, His Lordship in Council is of opinion that Mr. Davies should not have deviated from the plan pursued by his predecessor in the preceding year, without the concurrence of your Department. It should always, I am to observe, be considered the rule, that no modification connected with the preparation of the Annual Reports should be adopted, till it has been approved of

by you. In this way only can uniformity in the exhibition of the result be maintained, a point already strongly inculcated by the orders of the Honorable Court.

"7. There can be no doubt of the inexpediency of enforcing on unproductive lands an assessment of the oppressive nature of that described; at the same time it is wrong in principle, so long as the inclusion of such lands in the Bhags or Village leases continues to form a part of the arrangement between the parties and Government, to exclude altogether from the Settlements the Revenue fixed on them, as the non-collection of this assessment is, in reality, an abatement resulting from the impracticability of realizing it, and can be regarded properly therefore merely as a remission."

JUMMABUNDY.—The Remissions granted in Villages, in which Government have a share of the Revenues, should always be noticed in —— Reports. *See Revenue Commissioner's Letter No.* 4249 *of* 1848, *under* "Remissions."

JUMMABUNDY.—Assistants and Collectors leaving their Situations are to furnish a detail of the progress made by them in the Annual Settlements to admit of their Successors sending in their —— Reports.

Circular.

No. 651 of 1840.

Territorial Department—Revenue.

To all COLLECTORS.

SIR,—In forwarding to you the accompanying extract of a letter from Government, relative to the obligation of Deputed Assistants to report on the Districts under their charge, I have the honor to request that you will communicate its tenor to your Assistants, and require compliance with the instructions it contains.

Para. 34 of the reply to the Nuggur Jummabundy Report for 1839-40.

I have, &c.,

J. VIBART,

Revenue Commissioner.

Rev. Com.'s Office, Camp Mahableshwur,
17th May 1841.

Extract para. 34 *of Government Letter No.* 1504, *dated 7th May* 1841.

"Para. 34. It constantly happens that Officers who have completed the settlements, leave for other appointments, before the transmission of their Reports, so that Government is left much in the dark as to details of importance and interest. This requires a remedy; and you should therefore notify to all Collectors that they should require from all Assistants leaving them, who may have had independent charges, a detail of the progress that may have been made in the Annual Settlements, or other matters of interest, up to the period when they may be relieved.

The Collector must be held responsible for the due receipt of this information in such form as he may deem satisfactory, in reference to the period of the year at which the appointment to another Collectorate may take place. If this be after the completion of the settlements, a full report should be required; if before that time, it should be such as to enable the successor of the Officer, or the Collector himself, to carry on the settlement, and to report fully on the subject."

Circular.

No. 921 of 1842.

Territorial Department—Revenue.

To all the COLLECTORS.

SIR,—I have the honor to annex, for your information and guidance, extract (para. 2) of a letter from Mr. Chief Secretary Reid, dated the 23rd ultimo, No. 1588, from which you will perceive that Government has laid it down as a Rule to be observed in future, that an Officer who may be removed from the charge of a Collectorate to another appointment, at, or towards the close of a year, should either report on the Revenue Settlement of his late charge himself, or make over the necessary materials for reporting thereon to his successor, from whom he should procure an acknowledgment to that effect.

2. This Rule is equally applicable to your Assistants under similar circumstances, and you should therefore communicate it to them.

I have, &c.,

J. VIBART,

Revenue Commissioner.

Poona, Rev. Com.'s Office,
28th June 1842.

Extract, being para. 2 of Government Letter to the Revenue Commissioner, No. 1588, dated 25th May 1842.

"Para. 2. The Report on the Tanna Collectorate has been submitted by Mr. Langford, who held the office of Acting Collector during the greater part of the year 1840-41, and relinquished his charge to the present Collector, Mr. Jackson, on the 1st March 1841. The Governor in Council considers it but right, that the Officer in charge during the year, though removed to another appointment, at, or towards its close, should either himself report on the Revenue Settlement, or procure from his successor an acknowledgment that he has transferred to him materials enabling him to furnish the Report required; and has directed me to request that you will communicate this observation to all the Collectors under your control."

JUMMABUNDY.—Collectors not allowed the power of Alienating Lands, or of transferring existing Alienations from one party to another.

Extract para. 25 *of a Letter from the Acting First Assistant Collector of Ahmedabad, dated* 3*rd October* 1850.

Grants of land as Pussaeta on condition of service.

"Para. 25. This leads me to make a few remarks on a subject that has been frequently brought to notice by my predecessors, and the still unsettled state of which leads to a very general distrust of promises on the part of European officials,—I mean the length of time taken in answering references to Government for the grant of 'Pussaeta' or service lands: the increasingly clamorous demands that are annually made to us by Patells and Village servants are most embarrassing; and I could point out many instances in which Government service has been thrown up, merely because people cannot go on living on hope. I would respectfully beg to suggest, therefore, that power should be given to the Collector and to his Assistants in charge of Districts subject to his confirmation, to grant, on application, such lands as it may on enquiry be found necessary to grant, up to, but not in excess of, twelve Beeghas of land to any individual or individuals, on condition of service, pending a reference to Government. It would also save much inconvenience if we were allowed to transfer lands, granted on condition of some service that might not be considered necessary, to other parties whose services might be more required for the ease and convenience of the villagers. For instance, a tailor might not be wanted in one place where a blacksmith was required, and the 'Pussaeta' granted for the employment of the former might be transferred in order to secure the services of the latter. Again, there are in many villages ten or twelve Beeghas of land given as 'Pussaeta' for the feed of the Village dogs; this might fairly be applied for the more useful purpose of the entertainment of a watchman or other village servants."

Extract para. 36 *of Government Letter No.* 3902, *of 5th June* 1852, *replying to the Ahmedabad Jummabundy for* 1849–50.

"Para. 36. Government cannot give the Collectors' Department the power of alienating lands nor (at any rate not without information as to how far the same will be consistent with the maintenance of vested rights) the proposed power of transferring existing alienations from one to another."

K

KARKOONS—Extra —— never to be employed without previous sanction. *See Extract of Government Letter No.* 4533 *of* 1838, *under* "Establishment."

KHISTS.—Periods for collecting Revenue Instalments must vary according to local circumstances. *See Government Letter No.* 3734, *of* 8*th June* 1849, *under* "Instalments."

KHISTS.—Revenue Instalments to be punctually realized at the periods fixed for payments. *See Extract of Government Letter No.* 1514, *of* 20*th February* 1851, *under* "Instalments."

KHISTS.—Period within which each Revenue Instalment should be collected. *See Government Letter No.* 8068 *of* 1851, *under* "Instalments."

KHISTS.—Collectors held responsible that the Revenue Collections are made according to the —— fixed by Government. *See Extracts from para.* 10 *of Government Letter No.* 1910 *of* 1852, *under* "Instalments."

KHISTS.—Providing for Periodical Returns showing the Collections made on account of each of the Revenue —— fixed by Government. *See the Revenue Commissioner's Circular No.* 3137 *of* 1851, *under* "Instalments."

KHISTS.—Collectors to take measures for the Collection of the Government Revenues at the Village Chowree, and for their transmission to the District Kutcherries without accumulation or delay. *See Government Resolution No.* 4323, *of the* 25*th June* 1852, *under* "Collections."

KHISTS.—As to whether it is necessary to apportion the amount of Revenue to be collected each year *exactly* on the Instalments by which it is to be realized, &c. *See Government Resolution No.* 2523 *of* 1853, *under* "Instalments."

KHISTS.—Regarding the Collection of Revenue Instalments due by absent Cultivators. *See Government Resolution No.* 5324 *of* 1853, *under* "Instalments."

KHISTS.—Classification of the "Khurreef" and "Rubbee" Villages in the Southern Division, with reference to the dates fixed by Government for collecting the Revenue Instalments. *See Government Resolution No.* 4951 *of* 1854, *under* "Instalments."

KOOLKURNEES.—All appointments of Officiating ——, requiring Government confirmation, to be submitted through the Revenue Commissioner. *See Extract of Government Letter No.* 2478 *of* 1846, *under* "Village Officers."

KOOLKURNEES.—Government desire that nominations by Co-sharers of Officiating ——, under Act XI. of 1843, should, if possible, be for life. *See Extract of Government Letter No.* 6178 *of* 1848, *under* "District Hereditary Officers."

KOOLKURNEES.—As to whether nominations *by Government* of ——, under Section IV. of Act. XI. of 1843, should be for periods of five years, or for life. *See Government Letter No.* 5188 *of* 1849, *under* "District Hereditary Officers."

KOOLKURNEES.—Nominations of Officiating —— must be unanimously made by the Sharers, &c. *See Government Letter No.* 383 *of* 1849, *under* "District Hereditary Officers."

KOOLKURNEES.—Nominations of Officiating —— when, and how to be reported to Government. *See Government Letter No.* 6487 of 1850, *under* "District Hereditary Officers."

KOOLKURNEES.—Instructions regarding the appointments of Officiating —— in cases where Claims to serve in rotation are put in. *See Government Letters No.* 1376 *of* 1851, *and No.* 4893 *of* 1852, *under* "District Hereditary Officers."

KOOLKURNEES.—Officiating —— *not* appointed under Act XI. of 1843, are nevertheless subject to the provisions of that Act. *See Extract* of the Proceedings of the Sudder Adawlut, dated 5th February* 1849, *under* "District Hereditary Officers."

KOOLKURNEES.—Claims set up by —— to officiate in Alienated Villages, and being objected to by the Alienee, to be specially reported to Government. *See Government Letter No.* 8947 *of* 1851, *under* "District Hereditary Officers."

KOOLKURNEES.—The sole Proprietor of a Wuttun is considered an "Officiating" Officer, within the meaning of Act XI. of 1843. *See Government Letter No.* 3129 *of* 1848, *under* "District Hereditary Officers."

KOOLKURNEES.—Officiating —— must be considered to "vacate" office on the expiration of the period for which they may have been appointed. *See Letter No.* 781 *of* 1854, *and Revenue Commissioner's Reply No.* 2348 *of* 1854, *under* "Village Hereditary Officers."

KOOLKURNEES.—The punishment of ——, for delinquencies, to be briefly notified to the Koolkurnees generally of the Collectorate. *See Extracts from Government Letters Nos.* 2065 *and* 3899 *of* 1838, *under* "Village Hereditary Officers."

KOOLKURNEES.—Officiating —— strictly prohibited from assigning any portion of the Cash Allowances paid them by Government to their Principals or Co-sharers. *See the "Proclamation" approved of by Government on 28th September* 1853, *under* "Village Hereditary Officers."

KOOLKURNEES.—As to how far mortgaged portions of Wuttuns of —— are available for remunerating the Officiating Members. *See Government Resolution No.* 6892 *of* 1853, *under* "Wuttuns."

KOOLKURNEES.—Orders regarding the custody of the Records of ——. *See Extract of Government Resolution No.* 2592 *of* 1854, *under* "Records."

KOOLKURNEES.—The practice of —— living at a distance from their Charges considered objectionable.

Extract, being part of para. 22 *of Government Letter of 2nd August* 1851, *No.* 7891, *reviewing the Poona Jummabundy Report for* 1849-50.

"Para. 22. The practice of Koolkurnees occasionally living at a distance from their respective Charges is most objectionable, and should be at once discontinued. * *"

KOOLKURNEES prohibited from leaving their Villages without the permission of the Assistant in Charge of the District, or of the Mamlutdar. *See Revenue Commissioner's Letter of 2nd January* 1833, *under* "Village Hereditary Officers."

* See at page 348.

KOOLKURNEES.—The Koolkurnee, Patell, or Mahar, of the Village, always to attend Sales of Land under Decrees of Court. *See Government Letter No.* 2342 *of* 1841, *under* "Sales."

KOOLKURNEES.—In applying Act XI. of 1843 to the appointment of District and Village Officers who are *not Hereditary*, the selection is not to be confined to the family of the last incumbent. *See Government Letter No.* 6181 *of* 1850, *under* "District Hereditary Officers."

KOORUNS.—Leases of —— to provide for the preservation of all *Trees* growing in them.

Circular.

No. 121 of 1841.

Territorial Department—Revenue.

To all the COLLECTORS.

SIR,—Under instructions from Government, dated the 8th instant, I have the honor to request you will have the goodness to insert, in all Leases of Kooruns,* a specific clause binding the Lessees, under a penalty, not to cut down, or injure, the Timber Trees (Sàgwun and Rywut) growing upon them; and to take every precaution to preserve the young trees from injury. The penalty should be sufficiently heavy to prevent any infringement of this condition.†

* To the Collectors of Goojráth, say "Beeds."

I have, &c.,

J. VIBART,

Revenue Commissioner.

Rev. Com.'s Office, Camp Bombay,
23rd January 1841.

KOORUNS.—Orders relative to the disposal of River lands in, or adjacent to, Government ——.

Resolution on a Report from Captain G. Wingate, on Special Duty, dated 2nd December 1851, *No.* 12, *regarding the appropriation and disposal of three portions of land adjoining the Babool Kooruns along the Bheema river, in the Ahmednuggur Collectorate.*

Captain Wingate's proposals as regards general measures, and also as they affect the particular cases before us, appear judicious, and should be adopted by Collectors of Surveyed Districts, unless the Revenue Commissioner Southern Division see any objection.

The case referred to in Captain Wingate's closing paragraph to be disposed of under the general rules proposed by that officer.

No. 11745 of 1851.

Territorial Department—Revenue.

Copy of the above Resolution and of Captain Wingate's report therein referred to are sent to the Revenue Commissioner Southern Division for information and

† These orders were approved of by Government in their Letter No. 378, of 2nd February 1841.

guidance, with reference to Mr. Fawcett's memorandum No. 3696, dated the 6th ultimo.

By order, &c.,

Bombay Castle,
18th December 1851.

H. E. GOLDSMID,
Secretary to Government.

No. 12 of 1851.

Captain Wingate has the honor to report that land lying along the banks of rivers, and receiving a deposit of mud from their overflow, has, when included within the limits of Survey fields, been assessed generally higher than ordinary dry crop land, both in the Poona Collectorate, and in the Southern Mahratta Country. When such land has been cultivated before the introduction of the new Settlement at an unvarying assessment, and not entered in the Accounts as "Sheree," or belonging to any particular Government "Koorun," Captain Wingate considers that the occupant should pay the Survey assessment and nothing more. Much land besides that described, if sold annually by auction, would realize rents in excess of the Survey assessment; but the object of Government in fixing that assessment is not to appropriate the whole surplus produce or natural rent, but to leave a portion of it with the occupant. Captain Wingate therefore is of opinion that the mere capability of the land referred to in the correspondence of paying a higher rent than it does, affords no sufficient ground for selling it by auction.

2. Where, however, river lands have hitherto been sold annually by auction, and there is consequently no right of occupancy to be interfered with, there is, perhaps, no objection to the continuance of the practice, on the ground that the land is liable to change by the action of the river, in consequence of which the Survey assessment might become unsuitable. When practicable, however, it would certainly appear better, and more in accordance with the principles of the Settlement, to let the land at the Survey assessment, selling the right of occupancy once for all to the highest bidder under the provisions of Rule 2, at page 20 of the Joint Report.

3. When land in the bed of the river has not been included within the limits of any Survey field, and consequently has had no assessment fixed on it, the most convenient plan would probably be to sell it by auction.

4. Sheree gardens and other land held for Government purposes have been specially excepted from the operation of the Survey assessment in the Poona Collectorate, and may be let in any way deemed best by the Collector. The portion of the Alligaon Koorun cultivated by Luximundass may fairly, Captain Wingate thinks, be viewed as land of this description; but unless there be some likelihood of its being wanted at some future time for public purposes, Captain Wingate can see no advantage in exempting it from the operation of the Survey Rules.

5. The second piece of land referred to by Dr. Gibson is ascertained to be Meeras, and, as such, would be subject to the Survey assessment.

6. The third "Pàt Mulla" is now sold by auction, as appears from the 7th paragraph of the First Assistant Collector's letter, and, if included within the limits of a Survey field, it remains for Government to determine whether it shall be managed for the future under the ordinary Survey Rules, or be made a special exception.

G. WINGATE,
On Special Duty.

(True copy)

Camp Poona,
2nd December 1851.

H. E. GOLDSMID,
Secretary to Government.

Extract para. 3 *of a Letter from the Military Board, No.* 2586, *dated* 23*rd March* 1852.

"Para. 3. We draw your Lordship's attention to Dr. Gibson's observations in the 10th para., on the provisions for the disposal of River lands in, or adjacent to, the Kooruns."

Extract para. 10 *of a Report from the Conservator of Forests, dated* 29*th February* 1852.

"Para. 10. The provisions in regard to the disposal of River lands in, and adjacent to, these Kooruns, as sent for my guidance under date 18th December last, shall be duly kept in view. At the same time, I deem it necessary to record my opinion that, but a fraction of the whole 'surplus produce or natural rent will remain with the occupant,' as from what I have from practice seen, the Brahman, Koolkurnee, and Sahookar will, owing to proximity to, and intimate acquaintance with, the office people, almost in every case contrive to forestal the cultivator in the possession of such lands, he himself realizing the lion's share of the surplus produce, and keeping the cultivator down to the subsistence limit on this ground, viz. of its tending to extend an influence already felt to be too powerful throughout the country. I deem the provision to be of doubtful policy. For practical illustration of the subject I would refer to land situated in the midst of the Forest of Walkee, on the edge of that of Tek Kongaum, and (if I mistake not) also in Nandoor."

Extract para. 3 *of a Government Letter to the Military Board, dated* 6*th May* 1852, *No.* 3166.

"Para. 3. Government see no reason for modifying their instructions which appear calculated to ensure security of tenure and encouragement to expenditure for the improvement of land. Government can but trust to the Collectors and Deputed Assistants to guard against abuses of the description referred to by Dr. Gibson."

KUTCHERRIES.—In the construction or alteration of Kutcherries, the Treasury and Prisoners' rooms to be so located, that one Sentry can have his eye on both places, and render two Guards unnecessary. *See Government Resolution No.* 2081 of 1852, *under* "Buildings."

L

LABOR.—Gratuitous —— not to be required by Public Officers from Village Mahars and Watchmen. *See Extract of Government Letter No.* 2713 *of* 1849, *under* "Gratuitous Labor."

LAND for Building purposes in large Towns not to be given away, except in communication with the Revenue Commissioner and by public competition. *See Extract of Government Letter No.* 3590 *of* 1840, *under* "Ground."

LAND.—Instructions regarding the disposal of —— in Towns for Building purposes. *See Revenue Commissioner's Circular No.* 1498 *of* 20*th October* 1842, *and Government Letter No.* 225 *of* 1850, *under* "Ground."

LAND.—Orders regarding the disposal of —— lying along the Banks of Rivers. *See Government Memorandum No.* 11745 *of* 18*th December* 1851, *&c. under* "Kooruns."

LAND.—Collectors can make Grants of Waste —— for Building purposes, at their discretion, when an amount, not less than its rental would be if cultivated, is offered.

No. 4263 of 1854.

Territorial Department—Revenue.

To the Acting Revenue Commissioner S. D.

Copy of the Resolution passed by Government under date 13*th September* 1854, *on a Memorandum from the Revenue Commissioner N. D., No.* 1836, *dated* 29*th July* 1854, *with accompaniments, relative to a piece of Ground near the Town of Jumboosur in the Broach Collectorate, applied for by the Reverend A. Corbold for Building purposes.*

The land may be occupied by the Reverend A. Corbold on the proposed terms.

2. The proposal by Mr. Fawcett in para. 4 is approved; it is in accordance with the spirit of the Rule,* sanctioned by the Honorable Court under date 30th March 1853, and which has effect in the revised Districts.

C. E. F. Tytler,
Offg. Secretary to Government.

No. 1836 of 1854.

Territorial Department—Revenue.

Submitted for the orders of Government.

2. The rules contained in Government letter No. 225,† dated 9th January 1850, appear to apply only to ground situated in Towns and Villages allotted for their extension.

3. The site required in this instance is a piece of unproductive waste, measuring

* See at page 631. † See at page 464.

two and a half Beeghas, out-side the town of Jumboosur; its present rental is not mentioned, rupees ten (10) probably exceeds any rent that could otherwise be derived from it.

4. The Revenue Commissioner sees no objection to granting the land on the terms proposed, and thinks that Collectors might be empowered to grant waste land for building purposes, at their discretion, without further reference, whenever an amount, not less than its rental would be if cultivated, is offered.

E. G. Fawcett,
Revenue Commissioner N. D.

Poona, Rev. Com.'s Office,
29th July 1854.

(True copy)
C. E. F. Tytler,
Offg. Secretary to Government.

LAND.—As to the right of occupants of Government —— in the neighbourhood of Towns and Villages, to sublet the same for Building purposes.

No. 1379 of 1854.

From H. W. Reeves, Esq., Acting Revenue Commissioner S. D.,
To the Collector of Dharwar.

Sir,—I have the honor to acknowledge the receipt of your letter No. 576, dated 11th instant, requesting me to inform you whether the holders of Government fields in the neighbourhood of Towns and Villages have the right of subleting them in lots for building purposes.

2. You have apparently overlooked the Resolution by Government, copy of which was forwarded to you under date 4th June 1853, No. 1453, by this Department. By referring to that paper you will perceive that cultivators in occupation of Government lands are now at liberty to construct any buildings they please upon the fields, without applying for permission to do so, unless they are desirous of obtaining a remission of the assessment.

No. 3053 of 1853, dated 27th May.*

3. A draft Rule† embodying the permission thus announced was drawn up by the Revenue Survey Commissioner, and circulated by Mr. Courtney, my predecessor, to the Collectors of the Southern Division, under date July 13th 1853, No. 1809.

4. I imagine that a perusal of the paper which I have alluded to will remove all the doubts entertained by you on the point referred.

5. It only occurs to me to add that the occupant cultivators remain, of course, responsible for the Survey Boundary marks.

H. W. Reeves,
Acting Revenue Commissioner S. D.

Ahmednuggur Districts,
Camp Owndaputta, 27th April 1854.

* See at page 630. † See at page 631.

No. 1519 of 1854.

Territorial Department—Revenue.

True copy forwarded, with the Collector's original letter replied to, for the information and approval of Government.

H. W. Reeves,
Acting Revenue Commissioner S. D.

Ahmednuggur Districts,
Camp Owndaputta, 11th May 1854.

No. 3606 of 1854.

Territorial Department—Revenue.

To the Acting Revenue Commissioner S. D.

Extract paras. 1 *to* 3 *of the Resolution passed by Government under date* 29*th July* 1854, *on a Memorandum from the Acting Revenue Commissioner S. D., No.* 1519, *dated the* 11*th May* 1854, *with accompaniments, relative to the right of the Holders of Government Fields in the neighbourhood of Towns and Villages to sublet them in lots for "Building purposes."*

"Para. 1. Mr. Reeves' reply approved.

"2. Of course the abandonment of the Government assessment on land which the occupant may find it profitable to sublet for building purposes is out of the question.

"3. As regards land which is to be taken by Government for the extension of towns and villages, see correspondence ending with Government letter of 9th January 1850, No. 225."*

* Copies furnished to the Collectors *direct* by Government. (See at page 464.)

C. E. F. Tytler,
Offg. Secretary. to Government.

LAND.—In Sales of —— for Building sites, a stipulation should be made that the Buildings will be erected within a certain period, &c. *See Government Resolution No.* 2160 *of* 1855, *under* "Building Sites."

LAND.—Orders regarding the disposal of —— for Grazing purposes, &c. *See Extract of Government Letter No.* 3621 *of* 1844, et seq, *under* "Pasturage."

LAND.—Precautions to be taken in granting —— on Conditions.

No. 30 of 1845.

Territorial Department—Revenue.

To D. Blane, Esq., Revenue Commissioner S. D.

Sir,—In transmitting the annexed extract, being paras. 4 and 5, from a letter from the Remembrancer of Legal Affairs, dated 20th ultimo, No. 67, containing his sentiments as to the precaution which should be taken when lands are granted on

conditions, I am directed by the Honorable the Governor in Council to request that you will communicate the same to the Collectors within your jurisdiction, for their future careful observance.

I have, &c.,
E. H. TOWNSEND,
Secretary to Government.

Bombay Castle,
3rd January 1845.

Extract of a Letter from the Remembrancer of Legal Affairs, to the Government of Bombay, dated 20th December 1844, *No.* 67.

"Para. 4. This suggests a remark to which it may be desirable to draw the attention of the Revenue authorities generally throughout the Presidency. On all occasions on which persons are put into the possession of land, on the faith that they will do certain things which they have offered to do, the Collector should give them a paper, or take from them a paper, expressly making the offer or proposal a positive condition, and reserving to himself the right to resume the land on non-fulfilment of the condition after sufficient notice.

"5. Were this precaution observed as a Rule, the present case,—the case at Poona (lately decided against Government, where land had been granted to Mr. ——), and many others,—would not have occurred."

LAND.—In granting —— on Lease, provision should always be made for resumption, in the event of the Lessee's breaking faith. *See Extract of Government Letter No.* 2712 *of* 1846, *&c., under* "Leases."

LAND.—In giving away portions of Unarable —— for Cultivation, the spots in the vicinity of Villages on which the Cattle stand, are not to be included.

Circular.
No. 10857 of 1851.
Territorial Department—Revenue.

To ——————.

SIR,—I have been directed by the Right Honorable the Governor to caution you, in giving any portions of Fields entered as unarable in the Village Register for cultivation, under Rule 13 of the Joint Survey Report, to be careful not to give away any portion of the Land in the vicinity of villages on which the Cattle usually stand.*

I have, &c.,
H. E. GOLDSMID,
Secretary to Government.

Bombay Castle,
18th November 1851.

* See also the Government Resolution No. 1036, of 17th February 1853, and enclosures, under "*Fields.*"

LAND.—No District or Hoozoor Karkoons or Stipendiary Village Accountants to be allowed to purchase, or take up ——, within their respective ranges. This prohibition does not extend to the inheriting of Land so situated, nor to the retaining of those already held.

No. 2958 of 1854.

Territorial Department—Revenue.

To the Revenue Commissioner N. D.

Memorandum by the Revenue Commissioner N. D., No. 845, of 22nd March 1854, with accompaniments.
Memorandum by the Acting Collector of Tanna, No. 738, of 24th April 1854.
Memorandum by the Revenue Commissioner S. D., No. 1334, of 24th April 1854.
Memorandum by the Revenue Commissioner S. D., No. 1561, of 17th May 1854.

Copy of the Resolution passed by Government under date 17th June 1854, on the Documents noted in the margin, relative to Karkoons and Tullatees holding lands in the Districts in which they are employed.

No District or Hoozoor Karkoons or Stipendiary Village Accountants should be allowed to purchase or take up lands within their respective ranges; but the prohibition is not to be interpreted as extending to the inheriting of land, or to the retaining of such as any Hoozoor Karkoon may already be in possession of.

2. Government do not approve of remissions being withheld from Karkoons or Tullatees on account of failure of crops.

H. E. Goldsmid,
Offg. Chief Secretary to Government.

No. 3952 of 1854.

Territorial Department—Revenue.

To the Revenue Commissioner N. D.

Copy of the Resolution passed by Government under date 23rd August 1854, on a Memorandum from the Revenue Commissioner N. D., No. 1769, dated the 20th July 1854, with accompaniments, relative to District and Hoozoor Karkoons and Tullatees purchasing or taking up Lands within their respective ranges.

The exception made in Government Resolution of 17th June 1854, No. 2958, was not intended to apply to the Karkoon Gunnesh Bulwunt for any reasons affecting himself personally, but because his name had been given by the Acting Collector and Mr. ——, as that of a Karkoon who held office under the Hoozoor Deputy, and, consequently, it was assumed by Mr. ——, could have no official influence in the Talooka (Bassein) where his lands were situated.

2. To prohibit all Government servants from holding lands in the Collectorates in which they serve, would be to shut out from employ not only many men of

substance and property, but also many men who, it is both advantageous to the Public Service, and politic, should be enrolled as members of the stipendiary establishment, such for instance as the unofficiating members of Koolkurnees', Deshpandees', and Deshmookhs' families.

3. The purchasing and taking up, by stipendiary servants, of lands within the villages or districts over which their official influence may extend, should be strictly prohibited, but not so the inheriting of lands so situated, nor the retaining those already held.

4. As regards instances in which lands are already being held, it is sufficient to observe that the Collector has always the power of removing subordinate officers from the village or district in which the occupation by them, or their relatives, of land may be held to interfere with the performance of their duties.

5. With reference to the observations made by Mr. —— in para. 4, Government have to remark that, although the introduction of a revised settlement will lessen the opportunities for favoritism and fraud with regard to the occupation of lands and obtainment of remissions, that settlement will have to be administered with watchfulness and anxiety to put an end to jobbery and other abuses on the part of the Government officials.

C. E. F. Tytler,
Offg. Secretary to Government.

LAND.—Orders of Government regarding the appropriation of —— in Surveyed Districts to other purposes than Cultivation.

No. 3053 of 1853.

Territorial Department—Revenue.

To the Revenue Commissioner S. D.

Copy of the Resolution passed by Government under date 27th May 1853, *on a Despatch from the Honorable the Court of Directors, No.* 6, *dated* 30*th March* 1853, *relative to the appropriation of Khalsat Land in Surveyed Districts for purposes unconnected with Agriculture.*

Copy of this letter to be sent to the Revenue Commissioner and Captain Wingate.

2. The Rule to be communicated to the Collectors of all Districts where the revised assessment is being administered, and to the Superintendents of the Revenue Surveys.*

3. Translations of the Rule to be prepared by Captain Wingate.

H. E. Goldsmid,
Secretary to Government.

* See Government Resolution No. 4263, of 13th September 1854, at page 625.

No. 6 of 1853.

Revenue Department.

OUR GOVERNOR IN COUNCIL AT BOMBAY.

Letter dated 12th November 1852, No. 151.

Submitting further explanations relative to the propriety of allowing, in Districts where the new Survey Assessment is established, the right to construct on arable lands any buildings, whether connected or not with agricultural purposes.

With reference to the strong opinions expressed by your President and by the Revenue Survey Commissioner against the expediency of requiring, in all cases, the previous sanction of the Revenue Authorities to the appropriation of Lands in Surveyed Districts to any purposes other than agricultural, we shall not object to your adopting the Draft Rule prepared by Captain Wingate, under which the consent of Government will in future be required only in those cases in which a remission of assessment is sought on the lands so occupied.

London,
30th March 1853.

We are, &c.,
J. W. HOGG, and other Directors.

(True copy)
H. E. GOLDSMID,
Secretary to Government.

Draft of Rule.

Any holder of a Government field wishing to appropriate a portion of the arable land contained in it for some purpose unconnected with agriculture, as in order to build a Temple, or a Dhurmsalla for the use of travellers, or a Tank to provide water for public purposes and not for irrigation, and desirous of obtaining a remission of the assessment on the land to be so appropriated, must obtain the consent of the Collector before proceeding with the work; otherwise he will have no claim to any remission of the assessment; and any petition he may afterwards make on the subject will be disallowed. This Rule, however, is not to be interpreted as in any way restricting the right of the occupant to dig wells, construct tanks for irrigation, erect farm-buildings, or in any other way to expend money on his field for agricultural purposes, without reference to the Collector, secured to him by the first of the Survey Rules.

(True copy)
H. E. GOLDSMID,
Secretary to Government.

LAND.—Before —— required for any Public purpose is taken possession of, Collectors should ascertain whether any Rights or Claims on it are asserted by any individual.

Circular.

No. 713 of 1826.

Territorial Department—Revenue.

To W. Stubbs, Esq., Collector at Surat.

Sir,—The practice incautiously exercised, of Public Officers occupying ground for public purposes without first ascertaining the nature of its tenure, being calculated to involve the Government in considerable embarrassment, the Honorable the Governor in Council is pleased to direct, that before any ground which may be required for any public purpose be taken possession of, the Collector shall ascertain whether any rights or claims on the land are asserted by any individual; and, if so, the compensation the proprietor may be willing to receive shall be reported to the Government for its sanction to the disbursement, when an admission in writing must be obtained and recorded that the individual has no further claim on the ground.

2. Should any difficulty or expense be hereafter occasioned by inattention to this rule, the Public Officer through whose neglect it may be occasioned will be held responsible for the same.

I have, &c.,
J. Farish,
Secretary to Government.

Bombay Castle,
24th April, 1826.

LAND.—The right of Government to appropriate —— required for Public purposes, asserted. Holders of Alienated Villages are not to be compensated for trifling losses of Revenue sustained by the taking up of Land for Roads, &c. &c.

No. 2320 of 1849.

Territorial Department—Revenue.

To A. N. Shaw, Esq., Revenue Commissioner N. D.

Sir,—With reference to Mr. Blane's letter, No. 2139, dated 31st October last, I have been directed by the Right Honorable the Governor in Council to transmit, for your information and guidance, copy of one from the Secretary to the Government of India, No. 161, of the 3rd instant, on the subject of the right of Government to appropriate land required for public purposes.

I have, &c.,
W. Courtney,
Acting Secy. to Government.

Bombay Castle,
31st March 1849.

No. 161.

From F. J. HALLIDAY, Esq., Secretary to the Government of India,
To W. COURTNEY, Esq., Acting Secretary to Government.

SIR,—I am directed by the Honorable the President in Council to acknowledge the receipt of your letter No. 7623, of the 7th December last, in reply to Mr. Bushby's letter of the 26th February, submiting, for the consideration of the Supreme Government, the information which has been collected on the question as to whether lands held on Meerassee and other tenures can be taken by Government for public purposes without giving the occupant any compensation beyond the remission of assessment.

2. This question arose out of a proposition by the Collector of Dharwar in the Southern Mahratta Country, that lands should be appropriated for building purposes in the vicinity of the towns of Seegaon, Bettigeeree, and Hooblee. The Collector stated that in Hooblee and Bettigeeree he had visited the land selected for this purpose. "In both instances," he says, "*the ground belonged to Government*, and consisted of from 15 to 20 acres." He proposed to pay to the occupants (whom, however, he styles "the proprietors,") Rs. 63 as compensation for their loss; and says they had consented to give up their claim for less, viz. for Rs. 50. The Collector made, at the same time, a general suggestion for the appropriation of land to similar purposes, and proposed to lay down the following general rule for the grant of compensation in such cases:—

"In the event of a cultivated field near any Town being so occupied, it would be proper, if a Government field, to remunerate the holder of it to the full extent of his loss, or for any expenditure he might have incurred; and if the land were Wuttunee or Inamee, other land might be assigned by Government, or a liberal compensation be paid to the Wuttundar or Inamdar which the sale of the building sites would amply admit of being done."

3. There is nothing, I am directed to remark, in the proposition of the Collector thus stated by himself, either as regards the special case out of which the correspondence arose, or the general rule proposed to be adopted for similar cases in future, to which the President in Council would be at all disposed to object.

4. But, when the case first came before the Government of Bombay, Mr. Reid recorded an opinion, "that in the Deccan and Konkun all land required for public purposes may be taken by Government if the land be subject to assessment, on the mere remission of that assessment, and if Inamee, on the assignment of other land of equal value;" and this general opinion being received with some hesitation, the enquiry which has now terminated was instituted in order to ascertain its correctness.

5. It would appear from the reports now submitted, that Mr. Reid's opinion is correct. The Revenue Commissioner of the Southern Division reports the result of his enquiries to be as follows:—

"From the foregoing remarks, therefore, it will be evident, that both the past and present Governments have maintained and exercised the right to resume lands under whatever tenure held, when required for public purposes, according to the following rules:—

"1*st.*—For Inamee or Jagheer lands resumed, other lands to be granted instead, of equal value.

"2*nd.*—The assessment on 'Meerasee,' 'Gutkoolee,' or other 'Khalsat' land, to be remitted.

"3*rd.*—Wells or other constructions in resumed land to be valued, and a fair valuation to be paid to the owner, that is, of course, on the supposition that he has either constructed, inherited, or purchased them.

"4*th.*—Compensation to be allowed for any visible and valuable improvements, such as embankments, water-courses, buildings, trees, &c. &c."

6. The Commissioner for the Northern Division reports, that "the resumption of unimproved Government land on the terms of remitting the assessment alone, appears to have been frequently acted upon, and not to have been regarded as affording any grounds for complaint."

7. It is obvious, therefore, that the practice of the Bombay Government was accurately stated in Mr. Reid's minute, of 19th November 1847.

8. This practice appears to the President in Council to be perfectly unobjectionable so far as it relates to lands not the private property of individuals. But His Honor in Council understands *Meeras* and *Inam* to be tenures which carry a right of property; and if that be the case, he would look upon a mere repayment of visible outlay and remission of assessment to be a very inadequate compensation to the owner for the loss he sustains.

9. It is necessary, His Honor in Council observes, that the right of Government to appropriate all lands that may be required for public purposes should be strictly upheld; but this right should in no case be exercised to the detriment of any private person, without fully and fairly reimbursing him for the loss, as well as the inconvenience he may sustain by removal. And if there be an owner of land so taken up, the ownership should be purchased at its full market value, or land of fully equal value should be given in exchange.

I have, &c.,
F. J. Halliday,
Secy. to the Govt. of India.

Fort William,
3rd March 1849.

Extract, being paras. 2 and 3 of a Government Resolution, dated 19th June 1854, No. 2992.

"Para. 2. Government are prepared to compensate the occupants, but are inclined to think with Mr. Bell, that the holders of the Revenues of a village

should not be compensated for trifling losses of assessment on land taken for the construction of a Road within the limits of the village. Mr. Bell states it has not been the custom in his Collectorate to compensate the holders of Alienated Villages, and Government are averse to instituting the practice.

"3. In cases, however, in which it may be decided that the recipients of the Revenue are to be compensated, they should be so by one payment, not by an annual allowance, and the amount should be fixed with reference to the tenure on which the Village is held. In the present case, in which the claim is rejected, Mr. Bell alludes to the holder of the Village as a Jagheerdar, but whether or not the Village is a Jagheer, resumable at the death of the present Jagheerdar, is not shown."

LAND.—Meerasee —— taken up for public purposes, can be exchanged for other Land on the same tenure if desired, &c. *See Extract of para.* 4 *of the Government Resolution No.* 5322 *of* 1852, *under* "Meerasee Lands."

LAND.—Orders regarding —— taken up for purposes connected with the operations of the Railway Department.

No. 294 of 1854.

Financial Department—Railway Branch.

To the Revenue Commissioner S. D.

Copy of the Resolution passed by Government under date the 18*th August* 1854, *on a Report, by the Acting Collector of Tanna, No.* 1332, *dated* 29*th July* 1854, *on a petition from Ramchunder Sajnuslett, dated* 2*nd March* 1853, *regarding compensation for certain land in Salsette.*

The Contractors, Messrs. Faviell and Fowler, by whom the section of Railway between Bombay and Tanna was executed, and by whom the damage complained of was done, have now left the country, and all transactions and accounts between them and the Railway Company have been closed.

2. It would be a mockery, therefore, to refer the applicants to them for redress.

3. The Railway Company, who may be considered as the next parties answerable, might fairly plead the time that has elapsed since the injury occurred, and that, if they are held liable, they have now no means of calling upon their Contractors to make compensation, as they might have done had the case been brought to their notice at the time the complaint was made, that is in March 1853.

4. Under the above considerations, and as there is little doubt that, had the Contractors, instead of entering on the complainant's property in the unauthorised manner they appear to have done, made a proper application for the land, Government would have granted it,—Government will not object, in the present instance, to confirm the award of the Punchayet;—and the Collector of Tanna is to be

authorised to pay the amount, Rupees four hundred and twenty-five, annas six, and pies three (425-6-3), taking a deed of relinquishment of the property as suggested in para. 8 of his Report.

5. Had the damage been a wilful one on the part of the Contractors, one in fact that it was not absolutely necessary to commit in the prosecution of the works, Government in this instance would have suffered a loss by the delay that has occurred in the investigation of the complaint: the petition was referred to the Collector on the 10th March 1853, and the Report is dated 29th July 1854, the trespassers having, in the mean time, quitted the Country.

6. Petitioner should not have made this application to Government in the first instance; he should have appealed, as in any other case of injury, to the Local Authorities for redress; and Government desire, that translations of Notices, worded as follows, should be published in the various villages along the line of the Railway, which may from time to time be under construction :—

NOTICE.

1. The lands which Government have to make temporarily or permanently over to the Railway Company for the construction of the lines of Rail are distinctly marked out, and the Mamlutdar (or Mahalkurree) is furnished with a Plan thereof; and should any additional land be required, it will, in like manner, be marked out and entered in the Plan.

2. Any other land in the occupation of private individuals which is required for temporary purposes, such as the construction of Store sheds, the obtaining of brick-earth, making bricks, &c. &c., must be obtained by private agreement between the occupant and the Railway Authorities and Contractors.

3. In the event of any person's property in the vicinity of that which has been marked out for Railway works being injured, the party should forthwith apply for redress to the District Officers; should he delay doing so, Government will not assist him in the matter.

4. Nor will the Governor in Council attend to any Petition which is not accompanied by the Petition to the Chief Local Authorities, or a copy of it, and by the original answer or order given thereon.

5. The Local Officers are to assist the Railway Authorities or the Contractors in dealing for properties temporarily required for purposes such as those referred to in Clause 2 of this Notification.

7. Copy of the above papers, and of this resolution, to be sent to the Railway Company, with a request that they will warn their executive officers and Contractors accordingly.

C. E. F. TYTLER,
Offg. Secretary to Government.

LAND.—As to whether the Revenue Survey Rules have *retrospective* effect in regard to the occupancy of —— , and the right to Trees growing on such Land, &c.

No. 3639 of 1852.

Territorial Department—Revenue.

To the REVENUE COMMISSIONER S. D.

Copy of the Resolution passed by Government under date 26th May 1852, *on a Memorandum by the Revenue Commissioner S. D., dated 5th May* 1852, *No.* 1004, *forwarding for the orders of Government one from the Collector of Poona, No.* 683, *of* 15*th March* 1852, *with accompaniments, relative to the right of Shreeneewas Row, Deshpandee, to certain Koorun Land in Pargaon, and expressing his concurrence in the opinion recorded by Captain Wingate in his Memorandum No.* 110, *of* 19*th April* 1852.

Captain Wingate's opinion to be acted on in disposing of this and similar cases.

H. E. GOLDSMID,
Secretary to Government.

No. 110 of 1852.

Captain Wingate entirely agrees with the Collector and Mr. Chapman, that the right of the Deshpandee to the occupation of the land cannot be disturbed; but, at the same time, he is of opinion, that the order given by the Collector for depriving the Deshpandee of the use of the *Timber* growing thereon, is not in accordance with the Survey Rules.

2. Captain Wingate considers that Rules 5, 10, and 12 apply to this case. Mr. Chapman in the 4th para. of his letter appears to have taken a correct view of the rights of the occupants, but Captain Wingate cannot concur in the opinion expressed in the next para., that the Survey Rules are not applicable to transactions that took place previous to their introduction. The term of occupancy specified in Rule 10, which conveys to the holder a right of property in Trees, is not, in Captain Wingate's opinion, to be dated from the introduction of the Survey Rules, but from the commencement of the incumbent's occupation as a holder paying the ordinary rates of assessment.

3. The Conservator of Forests draws a distinction between Koorun and Government lands; but no such distinction is recognised by the Survey Rules in the case of lands held by occupants who pay the Survey rates. Such parties are unquestionably at full liberty to manage their lands as they may think proper. Government, by granting part of the Koorun lands by its authorised Officers to the Deshpandee, and other parties at the ordinary rates of assessment, relinquished its own right to the occupation of the land as Koorun; and the mere fact of the Deshpandee having preferred to devote his portion of the land to the growth of grass and

wood, instead of cultivating it with Grain crops, does not, in any degree, weaken his title to all the privileges of an occupant under the Survey Rules.

4. Captain Wingate is therefore of opinion, that, if the Deshpandee and his ancestors have held the land in question for a period of twenty years, he has the absolute right of disposing of the whole timber growing on it under Rule 10; and that, if his occupancy is of more recent origin, he has, under the same Rule, an equally absolute right of property in all Trees that have grown up since the land came into his possession.

5. But it is expressly stated in the 2nd para. of Mr. Chapman's letter that the Deshpandee has held the land on Ryutwar tenure for a period of upwards of twenty years; and under these circumstances Captain Wingate is of opinion that the restriction imposed by the Collector against cutting the timber should be immediately removed, and that the Deshpandee should be informed that he has acquired a proprietary title to the whole of it under the provisions of the 10th Survey Rule.

6. One object of that Rule is to promote the growth of Trees by securing a right of property in them to the planter; and it would seem to be in the last degree inexpedient, as well as in direct contradiction of this provision, to make use of the very fact, viz. the conservation of the Trees by which the Deshpandee's right of property in them is sought to be established by the Rule for the purpose of depriving him of this right of property altogether.

G. WINGATE,
Survey Commissioner.

Camp Mahableshwur,
19th April 1852.

LAND.—Form of Quarterly Return for reporting the extent of —— granted for Tree Plantations.

STATEMENT

STATEMENT *showing the Extent and Locality of Lands proposed to be given for Tree Planta*

In what Talooka.	In what Village.				
	Name of the Village.	Extent of the Village Lands.			
		Khalsat Land.		Inam Land.	Total.
		Cultivated.	Waste.		
1	2	3	4	5	6
		Acres.	Acres.	Acres.	Acres.

N. B.—The foregoing Form was approved by Govern

Total extent of Land available for Tree Plantations, allowing for such purpose ½ Acre per cent. of all the Arable Land of the Village.	Land already granted for Tree Plantations in the Village.	
	Extent in Acres.	Date of Government Sanction.
7	8	9
Acres.		

Ground applied for.						
Whether		As what Survey number registered, and whether the whole or a portion of that number.	Assessed at.	Its distance from the Village.	How hitherto appropriated. if not cultivated.	PresentApplicant's name and occupation.
Cultivated	Or Waste.					
10	11	12	13	14	15	16

tions, in the Collectorate of , during the Quarter ending the

The number of Trees which Applicant engages to Plant.	Remarks.
17	18
	N. B.—When the land applied for forms part only of a Survey Field (whether cultivated or waste), it should be explained in this Column whether any of the remaining portion has been already given for the plantation of Trees, on what terms, and by whom the remaining part of the number is to be held.

ment under date the 30th September 1852 (No. 6346).

A. MALET,
Chief Secretary to Government.

LAND.—Collectors to take special care that the rights of Government are not compromised when Villages or Lands are sold under a Decree from the Court of Adawlut.—*See Government Letter No.* 2664 *of* 12*th May* 1848, *under* "Suits."

LAND.—Decrees of Courts of Adawlut to be considered as sufficient authority for Collectors to register names of Claimants to hold by right of inheritance, partition, or usage, any —— or Allowances.

No. 2525 of 1850.

Territorial Department—Revenue.

To A. N. Shaw, Esq., Revenue Commissioner N. D.

Sir,—I have placed before the Right Honorable the Governor in Council your letter No. 2477, dated the 7th December 1849, with its accompaniments, and have been directed to observe for your own information, and that of the Collectors under your control, that the Courts of Adawlut are the proper tribunals for adjudicating claims to hold, by right of inheritance, partition, or usage, lands or allowances; and the Decrees of those Courts should be considered by the Collectors as sufficient authority for their registering the names accordingly*; provided, of course, there *is no* alteration in the Registers of a description which can be interpreted as recognizing any greater sub-division than is warranted by the usage of the country and existing mode of assessment of particular holdings, or of responsibility to Government or to others for the Public Revenue.

2. His Lordship in Council does not, however, hold it to be incumbent on the Collectors to alter their Registers in cases where lands and allowances are treated by the Courts as ordinary property, and sold in fulfilment of decrees on account of debts or damages. In every such case, the Collector should, before altering his register or acknowledging in any manner the rights of the purchaser, ascertain whether the allowance is of a description which precludes its permanent or temporary alienation, or whether the land is held on a tenure which renders its transfer objectionable, as regards either the rights of the person to be ousted, the interests and rights of Government, or the interests and rights of other parties—such as co-partners or joint sureties—for the payment of the Revenue assessed on the division of land or village in which the portion sold may be situated.

I have, &c.,

Bombay Castle,
3rd April 1850.

H. E. Goldsmid,
Secretary to Government.

LAND.—Occupants of —— put into possession by Revenue Courts under Act XVI. of 1838 can only be ejected by a Decree of a Court of Adawlut. The Revenue Commissioners cannot interfere with the Decisions of Revenue Courts, &c. *See Extract para.* 1 *of Government Resolution No.* 6952 *of* 1851, *under* "Suits."

* See Extract of Government Resolution No. 1900 of 1853, under "*Suits*;" also the Government Resolution No. 4261 of 1853, under "*Land*."

LAND.—Civil Courts can Attach and Sell ——, but cannot convey any right of occupancy except for whole Fields, or separate shares of Fields, recorded in the Village Books. No alteration of Tenants' names in the Government Books to be made without the *Collector's* sanction, &c. *See Extract of Government Resolution No.* 1900 *of* 1853, *&c., under* "Suits."

LAND.—Collectors not allowed the power of alienating —— , or of transferring existing Alienations from one to another. *See Extract para.* 25 *of a letter, dated* 3*rd October* 1850, *from the First Assistant Collector of Ahmedabad, under* "Jummabundy."

LAND.—Collectors may recognize the transfer of Fields from one occupant to another at any season of the year, the person to whom the land is transferred being responsible for the balance due of the current year's Revenue. *See Government Resolution No.* 2890, *of* 18*th May* 1853, *under* "Fields."

LAND.—Rules for the transfer in Public Registers, &c., from one name to another, of the rights of holders of Alienated —— .

Circular.

No. 10890 of 1851.

Territorial Department—Revenue.

To ——————— .

Sir,—I have been directed to subjoin, for your information and guidance, copy of a memorandum from the Revenue Commissioner Northern Division, No. 2636, dated the 23rd September last, and to inform you that the Right Honorable the Governor in Council fully concurs in the views therein expressed by Mr. Shaw.

2. When a Decree of the Civil Court is passed to alter the Government Registers, the only alteration which should be made is to add the name of the party in whose favour the Decree has been passed as "Wywàtdar," (*i. e.* the party enjoying the usufruct by Decree of Court,) care being taken, at the same time, to retain in the Registers, Receipts, and all other official documents passing on the subject, the name of the Grantee, and of the existing heir.

3. These orders are not to be interpreted as in any way sanctioning any recognition of Alienations, or Sale of Tora Geeras dues, or Lands, or Cash Allowances, to which service or conditions are attached.

I have &c.,
H. E. Goldsmid,
Secretary to Government.

Bombay Castle,
19th November 1851.

No. 2636 of 1851.

Territorial Department—Revenue.

The Revenue Commissioner does not recommend that these, or other Hucks, payable by Government, should be registered in any other name in the

Government Accounts, than the lineal and lawful heir to the original enjoyer of the payment.

2. The Revenue Commissioner also suggests, that when Hucks, or payments of any kind, which might revert to Government on failure of lineal descendants, are alienated, that the party enjoying them should be compelled to produce a Life Certificate of the lawful heir.

3. That on all transfers of the hereditary property in the public Registers from one name to another, the Collector should take steps to determine that the successor is the lawful heir.

4. Government is unable to prevent a Huckdar or Inamdar alienating his rights during his lifetime, and, under the Hindoo Law, even burdening his posterity with his debts; but the Revenue Commissioner is of opinion that the Government should not recognize the claims of any but lawful and lineal heirs, or otherwise allow transfers of names in the public Registers, in any instances where, in failure of heirship, the Government becomes the successor.

5. The Collector quotes the instance sanctioned in Government letter No. 8065, of the 30th October, as a precedent for allowing alteration in Registers, but in that instance the alteration had been permitted previously by the Collector.

A. N. SHAW,
Revenue Commissioner N. D.

Poona, Rev. Com.'s Office,
23rd September 1851.

(True copy)
H. E. GOLDSMID,
Secretary to Government.

No. 4261 of 1853.

Territorial Department—Revenue.

To the REVENUE COMMISSIONER N. D.

Copy of the Resolution passed by Government under date 25th July 1853, *on a Memorandum from the Revenue Commissioner N. D., No.* 1115, *dated 23rd April* 1853, *submitting a Letter from the Collector of Kaira on the subject of the transfer in Public Registers, &c., from one name to another, of the rights of holders of Alienated Land.*

The Joint Report by Mr. Hart and Captain Wingate, No. 567, dated the 16th April 1852, gives a correct interpretation of the Government circular of 19th November 1851, No. 10890. Copy should be furnished to the Revenue Commissioner for communication to the Collectors in general.

2. To save, however, the trouble of requiring the Collectors to make constant references in regard to lands, the names or families of the original Grantee of which are not known, as in the case of the Wanta, and perhaps in much of the land

held on the Vechania and Gerania tenures, the Collector may be authorised to record, according to past custom, the name of any new purchaser.

3. In the case of any of the above tenures, where the land is held wholly Revenue free, and where the land of which the name or family of the grantee is not known, is subject to a Sullamee or other description of quit-rent, the Collector may also follow the same course if the transfer refers to an entire holding or estate, subject to a certain amount of Sullamee or quit-rent; but when the recording of the transfer would involve a sub-division of the Government tax, the case should be referred for the instructions of Government, pending the passing of an enactment or rules to define the circumstances under which sales and transfers of alienated lands are to be recognised.

4. The above orders merely apply to the preparation of the Annual Returns, and do not involve the recognition by the Collector of any alteration of the liabilities of the land to Government.

A. MALET,
Chief Secretary to Government.

No. 567.

From W. HART, Esq., Inam Commissioner, and
Captain G. WINGATE, Survey Commissioner,
To H. E. GOLDSMID, Esq., Secy. to Government, Bombay.

SIR,—We have the honor to submit our opinion, as required by the Government Memorandum No. 1941 of 1852, dated 24th ultimo, regarding the difficulty of interpreting the Rules circulated with the Government letter No. 10890, dated 19th November 1851.

2. The rule laid down by para. 2 of the above letter can evidently be applicable only to hereditary grants by Government, to which no condition of service is attached, and of which the name of the grantee is known.

3. The caution contained in the 3rd para. of the Government letter seems to us to be merely intended to guard against the possibility of the above rule being erroneously taken, as in any way admitting of application to the emoluments of Hereditary District or Village Officers, or to lands, &c., granted for any special purposes, any alienation of which was already declared illegal by Regulation XVI. of 1827 Section XX., and Regulation XVII. of 1827 Section XXVIII., and Act XI. of 1843, the 10th Section of which latter enactment further declares that official remuneration shall not be the subject of litigation.

4. We are therefore of opinion that the contradiction with which Mr. —— charges Government, in the 4th para. of his letter, is merely the result of a misconception on his part of the Government circular.

5. With reference to Mr. ——'s remarks, we think that in every case of application for the entry of a new name in the Village Books, it will be the duty of the

Collector to make the enquiries indicated in Mr. Shaw's memorandum which accompanied the Government circular of the 19th November last; and, in event of the transferred holding not being of such a nature that its recognition is already wholly precluded by law, (as in the cases to which the caution in para. 3 of the Government Circular No. 10890 refers,) to follow the course laid down by the Rule referred to above in our 2nd para.; or, should this not be applicable, owing to the impossibility of discovering the Grantee's name, to apply for the special instructions of Government.

We have, &c.,

Singhur,
16th April 1852.
W. HART,
Inam Commissioner.

Mahableshwur,
19th April 1852.
G. WINGATE,
Survey Commissioner.

(True copy)
A. MALET,
Chief Secretary to Government.

LAND.—The parties who are entitled to have their names entered in the Government Books as the occupants of —— hitherto held as Inam by *Zummindars*, but which are now declared to be Khalsat, though continued to the Zummindars as Life-grants. *See Government Letter No.* 11834 *of* 1851, *under* "Inams."

LAND.—Orders regarding the keeping of Accounts of all lapses of ——, and other Allowances appropriated to Police purposes.

No. 8602 of 1850.

Territorial Department—Revenue.

To E. H. TOWNSEND, Esq., Revenue Commissioner S. D.

SIR,—I have been directed by the Right Honorable the Governor in Council to request you will have goodness to issue instructions for the Survey assessment on all *Shetsundee* lands, granted, or continued, being charged to the "Police" Department, and for the Assessment on all lands resumed being deducted from the amount of Police charges, and the lands being brought to account as available Government lands.

I have, &c.,
H. E. GOLDSMID,
Secretary to Government.

Bombay Castle,
22nd November 1850.

No. 3360 of 1850.

To E. H. TOWNSEND, Esq., Revenue Commissioner S. D.

SIR,—With reference to your memorandum (No. 4830) of 30th ultimo, on a copy of a letter from Mr. Secretary Goldsmid (No. 8602), dated 22nd idem, directing

the Survey assessment on all *Shetsundee* lands granted, or continued, to be charged to the "Police" Department, I have the honor to request you will be so good as to inform me whether the money payment made to Shetsundee Peons, at Rs. 2 per mensem, in addition to the land held by them on service tenure, is also to be brought to account as a Police charge;—at present it is debited in the Accounts as charges of the Revenue Department, and, in some cases, to District Dâk.

I have, &c.,
H. P. MALET,
Acting Collector.

Poona, Col.'s Office, Camp Phoolshair,
3rd December 1850.

No. 9836 of 1850.

Territorial Department—Revenue.

To E. H. TOWNSEND, Esq., Revenue Commissioner S. D.

SIR,—With reference to your memorandum, No. 4969, dated the 11th instant, on a letter* from the Acting Collector of Poona, I have been directed by the Right Honorable the Governor in Council to inform you, that the orders of 22nd ultimo, No. 8602, are to apply to all Shetsundees, excepting those employed on Revenue duties. The duty of carrying the District Dâk may be considered as a Revenue duty, provided the letters, &c., of the Revenue Officers only are carried; otherwise it should be charged to the General Department.

* No. 3360, of 3rd December 1850.

I have, &c.,
H. E. GOLDSMID,
Secretary to Government.

Bombay Castle,
26th December 1850.

No. 87 of 1851.

To E. H. TOWNSEND, Esq., Revenue Commissioner S. D.

SIR,—With reference to your endorsement No. 60, dated 3rd ultimo, attached to Mr. Secretary Goldsmid's letter of the 26th December, No. 9836, I have the honor to remind you, that a large number of the Shetsundees of the Belgaum Collectorate are now employed,—not in Police, but in *general* duties,—carrying messages, conveying Revenue Instalments, and occasionally guarding Prisoners; and I, therefore, beg to be informed whether the assessment of the lands held by these men should continue to be kept under the General Head of "*Village Servants*," such being the Head under which it is deducted in the Jummabundy Chittas.

2. If a record of the expenses of the Police is required, I would recommend that the emoluments and salaries of all the Village Officers should be shown Departmentally,—Police Patells as well as Police Shetsundees, being included in one Head, "*Village Police*," and so shown in the Jummabundy Chittas, the only

record, I believe, in which the detail will appear, and that the expenses under other Departments should appear also separately.

I have, &c.,
H. W. Reeves,
Collector.

Belgaum, Col.'s Camp Sanglee,
1st February 1851.

No. 2199 of 1851.

Territorial Department—Revenue.

To E. H. Townsend, Esq., Revenue Commissioner S. D.

Sir,—With reference to your memorandum No. 860, dated the 12th ultimo, on a letter* from the Collector of Belgaum, I have been directed by the Right Honorable the Governor in Council to observe, that guarding Prisoners is a Police, not a Revenue duty; and to intimate, that the instructions of the 26th December 1850, No. 9836, appear to dispose of the questions put by the Collector as regards Shetsundees.

* No. 87, of 1st February 1851.

2. His Lordship in Council has been pleased to authorise the adoption of the arrangement suggested by Mr. Reeves, at the conclusion of his letter above noticed, in all cases where the duties of Police are performed by other Patells than those performing Revenue duties.

I have, &c.,
H. E. Goldsmid,
Secretary to Government.

Bombay Castle,
7th March 1851.

No. 886 of 1851.

To E. H. Townsend, Esq., Revenue Commissioner S. D.

Sir,—With reference to your endorsement No. 1225, of the 12th untimo, I have the honor to state that the orders of Government, No. 9836, of the 26th December last, were understood to require the assessment of the "Service lands" and "Pecuniary allowances" held by Shetsundees, to be brought on the Cash Accounts Departmentally, under the respective Heads in which they are employed, and not to interfere with the Jummabundy Chittas of the villages, in which, according to the form furnished by you, the assessment of the land held on service tenure is indiscriminately entered as "Service lands."

2. Government having authorised, in Mr. Secretary Goldsmid's letter, No. 2199, of the 7th ultimo, the adoption of the arrangement suggested by Mr. Reeves in all cases where the duties of Police are performed by different Patells, than those performing Revenue duties.* The assignment of lands to the Patells was

* So in the original.

originally granted for the Revenue duties "Kalee," and is divided amongst Under-sharers. In villages where the Police duties are performed by a different Sharer from the one entrusted with the Revenue duties, the assessment of the land held by the former can be charged under the head of "*Village Police*," so long as he performs the Police duties; but the assessment of lands held by the Rukwaldars, Ramooses, &c., as Village Watchmen, ought, in my opinion, to be similarly treated.

3. I therefore beg to be informed whether the Lands or Allowances enjoyed by Watchmen, &c., should be brought under the head of *Village Police*, and whether the same should be distinguished Departmentally in the Jummabundy Chittas, or only in the Cash Accounts, &c., as the Shetsundees are employed throughout the Zillah on several duties, while the lands they hold are only in the Mawul Talooka of this Collectorate, and cannot, therefore, be considered as a "Police" charge of the villages in the Jummabundy Chittas of which they are entered.

I have, &c.,
H. P. MALET,
Acting Collector.

Poona, Collector's Office,
1st April 1851.

No. 2069 of 1851.

Territorial Department—Revenue.

In forwarding this letter for the orders of Government, the Acting Revenue Commissioner is respectfully of opinion that, under the orders in the Secretary's letters quoted in the margin, the Lands and Allowances of all Rukwaldars, Ramoosees, and all Shetsundees, other than those that may be employed exclusively on Revenue duties, should be brought under the head of "*Village Police*," and shown Departmentally in the Jummabundy Chittas.

No. 9836, of 26th December 1850.
No. 2199, of 7th March 1851.

E. G. FAWCETT,
Acting Revenue Commissioner S. D.

Poona Districts, Rev. Com.'s Camp
Khundala, 7th May 1851.

No. 5886 of 1851.

Territorial Department—Revenue.

To E. G. FAWCETT, Esq., Revenue Commissioner S. D.

SIR,—I have been directed to acknowledge the receipt of your memorandum, No. 2069, dated the 7th instant, handing up a letter from the Acting Collector of Poona, No. 886, dated the 1st ultimo, and to inform you, that the lands therein alluded to should be entered in the Chittas, under the head of Police. If the persons in enjoyment of the lands perform Police duties for the District generally, and not for the Village only, an entry to that effect can be made in the Chittas.

2. Mr. Malet appears to forget that, a Deshmookh's or Deshpandee's Inam

lands are entered as Inam, under the head of "Service," in the village Chittas, although the service rendered is for the whole Pergunnah or Turruf, and not for one village only.

I have, &c.,
H. E. GOLDSMID,
Secretary to Government.

Bombay Castle,
26th May 1851.

Circular.

No. 2790 of 1851.

Judicial Department.

To all COLLECTORS AND MAGISTRATES, SUB-COLLECTORS,
THE COMMISSIONER AT SATTARA, AND AGENT AT COLABA.

SIR,—I am directed by the Right Honorable the Governor in Council to transmit for your information and guidance the annexed Rules which have been laid down for keeping an Account of all lapses of land and other allowances appropriated to Police purposes.

I have, &c.,
J. G. LUMSDEN,
Secretary to Government.

Bombay Castle,
29th May 1851.

RULES.

1. In Government letter dated 22nd November 1850, the Revenue Commissioner Southern Division was directed "to issue instructions for the Survey assessment on all Shetsundee lands granted, or continued, being charged, to the Police Department, and for the Assessment on all lands resumed being deducted from the amount of Police charges, and the lands being brought to account as available Government lands."

2. As it is desirable to know what savings are, from time to time, effected by the lapse of lands which had been appropriated for the maintenance of Shetsundees, Police Patells, and all other Officers rendering service in the Police Department, so that the amount may be considered available for further Police purposes, the Collectors should keep a register of all such lapses, showing the quantity of land in each case, and its survey assessment.

3. This is not to be interpreted as rendering necessary that the lapsed lands should be kept apart from the other Khalsat;—they may be dealt with, under the General Survey Rules, as all other Khalsat lands; the Police Department having no lien on the land itself; all that that Department can claim is a credit from the general Revenues for the equivalent, when required for general Police purposes.

4. In like manner, and for the same reasons, should be kept a register of all

lapses of cash and other allowances paid from the Public revenues for Police purposes, or from direct contributions by the people.

By order, &c.,
J. G. LUMSDEN,
Secretary to Government.

Bombay Castle,
29th May 1851.

No. 1810 of 1851.

From W. COURTNEY, Esq., Collector of Poona,
To E. G. FAWCETT, Esq., Revenue Commissioner S. D.

SIR,—With reference to Mr. Secretary Lumsden's circular in the Judicial Department, No. 2790, of the 29th May last, transmitting copy of Rules which have been laid down for keeping an account of all lapses of land and other allowances appropriated for Police purposes, I have the honor to observe, that the first Article of the Rules referred to applies to lands held by Shetsundees, and these, when enjoyed by parties solely employed on Police duties, are directed, in Mr. Secretary Goldsmid's letter to your address No. 5886, 26th May 1851, to be entered in the Village Jummabundy Chittas under the head of Police.

2. The second Article of the Rules embraces lands held by Shetsundees as well as by Police Patells and all other Officers rendering service in the Police Department; and the fourth Article applies to cash, and other allowances, paid from the Public revenue for Police purposes, or from direct contributions by the people.

3. I beg to be informed whether, under the above Rules, Patells entrusted with Police duties enjoying a portion of the hereditary Wuttun, either in cash or rent-free land, not originally granted for Police purposes, are to be considered as Officers rendering service in the Police Department, and as such, whether the portion of the Wuttun received by them should be shown in the Village Chittas as a Police charge. Also, whether the emoluments in land and money held by the Village Mahars, Mangs, Ramoosees, and Rukwaldars, are likewise to be brought under the operation of these Rules, and their receipts in consequence to be entered in the Chittas, under the head of Police.

I have, &c.,
W. COURTNEY,
Collector.

Poona, Collector's Office,
12th July 1851.

No. 2840 of 1851.

From E. G. FAWCETT, Esq., Revenue Commissioner S. D.,
To W. COURTNEY, Esq., Collector of Poona.

SIR,—In acknowledging the receipt of your communication, dated 12th instant, No. 1810, I have the honor (on the supposition that the cases alluded to in your 3rd para. are those in which Patells are entrusted with Police duties distinctly

from those conducting the Revenue duties in the same Village) to refer you to the orders conveyed in the Government letter* circulated by my predecessor on the 12th March last, No. 1225. These would answer your question in the affirmative.

* No. 2199, of 7th March 1851.

2. Respecting the entry of lands held by Ramoosees and Rukwaldars, alluded to in the concluding part of your 3rd para., the question has already been disposed of, as vide the 2nd para. of Mr. Acting Collector Malet's letter of 1st April last, replied to in the Secretary's communication accompanying my memo. of 30th May last, No. 2320, and the same rule may be considered applicable to Mahars and Mangs, provided the individuals are *Police* Officers.

I have, &c.,
E. G. FAWCETT,
Revenue Commissioner S. D.

Poona, Rev. Com.'s Office,
26th July 1851.

No. 2052 of 1851.

From W. COURTNEY, Esq., Collector of Poona,
To E. G. FAWCETT, Esq., Revenue Commissioner S. D.

SIR,—In acknowledging the receipt of your letter No. 2840, of 26th instant, I have the honor to request you will have the goodness to inform me how the Wuttuns in lands and pecuniary allowances enjoyed by hereditary Village Officers and servants who perform both Revenue and Police duties should be shown in the Jummabundy Chittas; and in the event of your being of opinion that in consideration of the recipient being employed partly as an Officer of Revenue and partly of Police, such allowances should be charged to both heads, I beg the favor of being instructed as to the proportion which should be charged to each.

I have, &c.,
W. COURTNEY,
Collector.

Poona, Collector's Office,
29th July 1851.

No. 2899 of 1851.

From E. G. FAWCETT, Esq., Revenue Commissioner S. D.,
To W. COURTNEY, Esq., Collector of Poona.

SIR,—In reply to your letter No. 2052, dated the 29th ultimo, I have the honor to observe, that in cases where the Revenue and Police duties are conducted by one and the same Patell, no entry of any proportion of his lands or emoluments under the head of Police, separately, is necessary. It is only in cases in which Patells are entrusted with Police duties, *distinct* from those conducting Revenue duties, that the orders quoted in the 1st para. of my letter replied to by you are applicable.

I have, &c.,
E. G. FAWCETT,
Revenue Commissioner S. D.

Poona, Rev. Com.'s Office,
2nd August 1851.

No. 9343 of 1851.

Territorial Department—Revenue.

To E. G. Fawcett, Esq., Revenue Commissioner S. D.

Sir,—I have been directed to inform you that the Right Honorable the Governor in Council has been pleased to approve, as being in accordance with para. 2 of Government letter* dated the 7th March last, No. 2199, of the replies† submitted with your memorandum No. 2900, dated the 2nd ultimo, and which you have given to the enquiries made by the Collector of Poona, connected with the Rules laid down by Government in the Judicial Department, under date the 29th May last, for keeping an account of all lapses of land and other allowances appropriated to Police purposes.

† Dated 26th July last, No. 2840, and 2nd ultimo, No. 2899.

I have, &c.,
A. Malet,
Chief Secy. to Government.

Bombay Castle,
22nd September 1851.

LAND.—When a person, holding —— or Allowances from Government, becomes a "Sunyasee," his heirs are to have the same right to succeed to the enjoyment of such Land or Allowances, that they would have had if the "Sunyasee" had become actually deceased. *See Government Resolution No.* 3352, *of* 12*th May* 1852, *under* "Inams."

LAND.—In cases in which District Hereditary Officers receive Allowances from a Government Treasury, and hold Khalsat or Joodee Inam ——, a sum equal to the amount of those allowances may be foregone, when levying the instalments of assessment due on the said Land. *See Extract para.* 1 *of Government Resolution No.* 2964 *of* 1854, *under* "District Hereditary Officers."

LAND.—Agents of the British Government, whether European or Native, prohibited from receiving grants of ——, or other favors from Native Chiefs. *See Government Notification of* 25*th July* 1838, *under* "Agents."

LAND.—Government aid for the Construction and Repair of Village Walls, in future to be made in the form of *Pecuniary* Grants, out of the sums placed at the disposal of Collectors and their Assistants, by the Government orders of 4th September 1835, instead of by grants of waste ——.

No. 4468 of 1847.

Territorial Department—Revenue.

To E. H. Townsend, Esq., Revenue Commissioner S. D.

Sir,—I am directed to acknowledge the receipt of your letter No. 1611, dated the 15th July last, submitting one from the Collector of Sholapoor, requesting

* See page 650.

instructions as to whether my letter to you, No. 1110, of the 28th April last, rescinding the Government order of 17th October 1837, under which grants of rent-free lands were made for the construction and repair of village walls, affects that of 13th July 1840, No. 2248, extending such grants to Patells for specified periods, for the repair of village Chowrees and Wells; and in reply to inform you that, adverting to the abuse which was found to attend the practice as regards rent-free grants for re-building village walls in the Ahmednuggur Collectorate, and to the consideration that it keeps the extent of the aid afforded by Government, and the mode in which it is applied, out of sight, the Honorable the Governor in Council is pleased to extend the decision conveyed in my letter of the 28th April last above quoted, as respects all description of works, and to direct that any aid which may be given in future for such objects be in the form of pecuniary grants.

I have, &c.,
J. G. LUMSDEN,
Secretary to Government.

Bombay Castle,
10th November 1847.

No. 2775 of 1847.

To J. G. LUMSDEN, Esq., Acting Secretary to Government, Bombay.

SIR,—I have the honor to acknowledge receipt of your letter No. 4468, dated the 10th instant, cancelling the orders conveyed in the Government letter No. 1110, of 28th April last, for rescinding the authority of 17th October 1837, under which grants of rent-free lands were made for the construction and repair of village walls, and intimating that, in future, aid from Government in the prosecution of such works should be given in the form of *pecuniary* grants.

2. With a view to obviate misapprehension, however, by the Local Officers in carrying out the above orders, and to ensure uniformity of practice, I respectfully solicit the instructions of His Honor in Council on the following points:—

1st.—Is the pecuniary aid, provided for in your letter under reply, to be afforded from the amounts placed at the Collector's disposal by the Government orders of 4th September 1835, (for repairs to tanks, wells, chowrees, &c.,) or separately from those sums?

2nd.—In the latter case, to what amount are such grants to be authorised by each Local Officer?

3. Should it be determined that pecuniary grants of the nature above referred to must be made from the sums at the Collector's disposal, under the orders of 4th September 1835, the several sanctions might be embraced in the half-yearly Returns submitted by each Officer of his expenditure; but in the event of their being authorised distinctly from these sums, I would respectfully suggest that each Collector be required to furnish half-yearly Statements of all such grants subject

to the limitations regarding which orders are requested in Clause 2 of para. 2 of this letter.

I have, &c.,
E. H. TOWNSEND,
Revenue Commissioner S. D.

Lowla, Poona District, Rev. Com.'s Camp,
15th November 1847.

No. 5251 of 1847.

Territorial Department—Revenue.

To E. H. TOWNSEND, Esq., Revenue Commissioner S. D.

SIR,—In acknowledging the receipt of your letter No. 2775, dated 15th ultimo, requesting instructions on certain points relative to grants of land for the construction and repair of village walls, I am directed to inform you that works of the description alluded to in the Government letters of 28th April last, No. 1110, and 10th ultimo, No. 4468, may be constructed and repaired out of the sums placed at the disposal of the Collectors and their Assistants, by para. 12 of Government letter of 4th September 1835, No. 2022, and under the rules by which such disbursements are made, and that no further sums may be expended unless the sanction of Government be previously obtained.

I have, &c.,
H. E. GOLDSMID,
Secretary to Government.

Bombay Castle,
18th December 1847.

LAND occupied as Salt-pans, to be exhibited in Statement F accompanying Collectors' Jummabundy Reports, the extent so inserted to be shown in a Foot-note. *See Revenue Commissioner's Circular No.* 2327, *of* 10*th September* 1850, *under* "Jummabundy."

LAND.—Grass —— incapable of Grain cultivation, to be excluded from Statement F. *See Extract of a Letter from the Collector of Surat, No.* 394, *of* 18*th July* 1851, *&c., under* "Jummabundy."

LAND.—Instructions for granting Waste —— for cultivation, the Boundary marks of which have been set up at the expense of Government.

No. 2204 of 1852.

Territorial Department—Revenue.

Resolution on a Memo. from the Revenue Commissioner S. D., dated 4th March 1852, *No.* 503, *submitting a Letter from the Collector of Sholapoor, and the opinion of Captain Wingate, on the question therein put regarding the grant of Waste Lands for Cultivation.*

As a general practice, Government would, for the reasons set forth in paras. 6 and 7 of their Secretary's letter dated 9th January 1850,* No. 225, relative to the

* See at page 464.

disposal of building sites, regret that the Collector should have recourse to public auction sale of waste lands.

2. Where, however, more than one party simultaneously make application, and there seems no ground for conceiving any of those applications to proceed from motives of enmity, recourse must of necessity be had to auction sale, to determine the right of occupancy.

3. The money so realized, however, should be brought to account under a distinct head, but not as re-imbursement for Boundary-mark expenses.

H. E. Goldsmid,
Secretary to Government.

Bombay Castle,
31st March 1852.

LAND.—Relative to the grant of Remissions for —— left uncultivated; the relinquishment of Lands by Paupers, &c. &c.

Report by the Revenue Survey Commissioner, No. 512, *of* 10*th August* 1853, *on a Letter from the Collector of Sholapoor, to the Revenue Commissioner S. D., No.* 518, *of* 6*th July* 1853.

No. 512 of 1853.

The Revenue Survey Commissioner is of opinion, that it is not desirable to alter or modify the Survey Rules, unless upon very clear and urgent grounds.

2. Under the 5th of the Survey Rules, the Collector should be careful to grant no remission to a cultivator unable to discharge his assessment, without a strict enquiry into his circumstances, and requiring him to relinquish some portion or the whole of his land in event of his being unable to cultivate it properly. It is possible that the Collector's circular may refer to such cases; and, if so, the Revenue Survey Commissioner is of opinion, that the date (30th April) fixed by Rule 20 for voluntary resignations, made without reference to the Collector, does not apply to the cases coming under Rule 5th at all. The Collector cannot be made aware of all cases of default by the 30th April, as the last instalment falls due after that date, and ordinarily he will probably not be able to decide upon such cases before the month of July. The Revenue Survey Commissioner is of opinion that, under Rule 5th, the Collector is now authorised to accept resignations from all defaulters to the close of the Revenue year, or even afterwards, should their cases not have been previously decided: and he thinks he might adopt the same course in reference to parties from whom the revenue of the previous year had been realized with great difficulty, and who may be unable to furnish security for the revenue of the coming year, while they are willing to resign their fields.

3. The Revenue Survey Commissioner is, however, of opinion, that all such cases should be decided by the Collector himself, or an experienced Assistant, and

that it is not desirable to empower the District Officers to accept any resignations other than those provided for by the Survey Rules. All exceptional cases should, in his opinion, be referred to the Collector or an experienced Assistant.

4. The Revenue Survey Commissioner thinks the suggestion made in the 4th para. of the Collector's report No. 620 for making the Village Officers responsible for paupers not giving in their resignations in due time, liable to very grave objections, as being contrary to the spirit of the Survey Rules, which were framed with the express object of freeing the Ryuts from the surveillance of the Government officials, and preventing any prying interference on the part of the latter in their concerns. A pauper, as distinct from a defaulter, is not recognised by the Survey Rules at all, and it is not, in the Revenue Survey Commissioner's opinion, desirable that he should be.

G. WINGATE,
Revenue Survey Commissioner.

Camp Poona,
Dated 10th August 1853.

No. 5251 of 1853.

Territorial Department—Revenue.

To the REVENUE COMMISSIONER S. D.

Copy of the Resolution passed by Government under date 8th September 1853, *on a Memorandum from the Revenue Commissioner S. D., dated 15th August* 1853, *No.* 2149, *forwarding for information and orders a Correspondance with the Collector of Sholapoor and Captain Wingate, regarding Lands relinquished by Pauper Ryuts.*

Captain Wingate's opinion to be acted on.

A. MALET,
Chief Secretary to Government.

LEASES.—The system of Leasing whole Villages to Patells or Village Communities, may be introduced into Unsurveyed Districts wherever practicable. The persons accepted as Farmers are, however, not to be mere *speculators*, unconnected with the Village.

Circular.

No. 1699 of 1845.

To all the COLLECTORS.

SIR,—With reference to your letter No. ——, dated the ——, I have the honor to transmit for your information and guidance copy of a letter from Mr. Secretary Townsend, No. 5705, dated the 1st instant, with accompaniment, to the address of the Revenue Commissioner Southern Division, communicating the conclusions arrived at by Government on the subject of village leases, after considering the opinions of the several Revenue Authorities respecting it.

2. I do not understand it to be the wish of Government to introduce this system generally and extensively where it is at present unknown, but merely to intimate a favorable opinion towards its introduction when circumstances may be suitable.

3. If, in conformity with these views, you should think it advisable on any occasion to introduce the system, I request that before doing so, on a large scale, you will favor me with a report of the principles by which you propose to be guided in your settlements.

4. One principle I may mention as essential to the success of any arrangement of the kind is, that its terms should be moderate; otherwise experience has shown that it will rarely stand.

I have, &c.,
R. K. PRINGLE,
Revenue Commissioner N. D.

Dholka, Rev. Com.'s Camp,
Ahmedabad Districts, 29th December 1845.

No. 5705 of 1845.

Territorial Department—Revenue.

To R. K. PRINGLE, Esq., Revenue Commissioner N. D.

SIR,—I am directed by the Honorable the Governor in Council to acknowledge the receipt of your letter No. 1315, dated the 25th September last, together with reports from the Revenue authorities under your control, relative to the question of leasing whole villages to Patells or village communities, and to transmit for your information the accompanying copy of my letter of this date, No. 5704, to the Revenue Commissioner Southern Division, from which you will observe, that Government has decided that this measure should not be introduced in surveyed districts, but that it may be attempted whenever practicable, under effectual checks, in districts to which the Survey operations have not been extended.

2. You are requested to issue the necessary instructions on this subject to the Collectors within your range.

I have, &c.,
E. H. TOWNSEND,
Secretary to Government.

Bombay Castle,
1st December 1845.

No. 5704 of 1845.

Territorial Department—Revenue.

To D. BLANE, Esq., Revenue Commissioner S. D.

SIR,—I am directed by the Honorable the Governor in Council to acknowledge the receipt of your letter No. 1349, dated the 25th August last, submitting the reports of the several Collectors and Superintendents of Revenue Survey under your control, on the question of leasing whole villages to Patells or village communities.

2. In reply, I am desired to observe, that these reports are, for the most part,

unfavorable to the leasing system, especially in surveyed villages. The arguments used on this point by the Superintendents of the Survey are particularly forcible, and the Governor in Council is disposed to concur with you, that leases in the surveyed districts ought not to be attempted, at least for the present, especially as it is desirable that the survey rates in these districts should become permanently established, before any authority is suffered to come between the Government Officer and the Ryut.

3. The arguments against the introduction of the above measure in unsurveyed districts do not appear so clear and conclusive to His Honor in Council, who is of opinion, that wherever it may be practicable to lease whole villages under effectual checks, it may be well to attempt it.

4. His Honor in Council at the same time instructs me to observe, that strangers and mere speculators should, in all cases, be discouraged. The persons who appear, in the opinion of Government, fit to be entrusted with the revenue management of a village, are those who, from their connection with it, either as Wuttundars, or as residents of long standing, may be expected to have at heart the prosperity of the village, and to feel an interest in the good will and happiness of the Ryuts, and it is from this class, that individuals should, wherever the attempt is to be made, be induced to undertake the lease.

5. You are requested to issue the necessary instructions on this subject to the Collectors within your range.

I have, &c.,
E. H. Townsend,
Secretary to Government.

Bombay Castle,
1st December 1845.

No. 4063 of 1846.

Territorial Department—Revenue.

To J. W. Langford, Esq., Acting Revenue Commissioner N. D.

Sir,—With reference to Mr. Secretary Townsend's letter, No. 5705, dated the 1st December 1845, to the address of Mr. Pringle, the late Revenue Commissioner Northern Division, I am directed by the Honorable the Governor in Council to transmit for your information, and for communication to the Revenue authorities under your control, the accompanying copy of an extract, para. 14, from a Despatch from the Honorable Court of Directors, No. 15, dated the 1st July last, relative to the system of leasing whole villages to Patells or village communities.

I have, &c.,
R. K. Pringle,
Chief Secretary to Government.

Bombay Castle,
3rd December 1846.

Extract of a Letter from the Honorable the Court of Directors, No. 15, *dated* 1*st July* 1846.

Letter dated 11*th December* 1845, *No.* 85.

Transmitting correspondence relative to the system of leasing whole villages to Patells or village communities.

14. We are disposed to concur in the conclusions at which you arrived on a consideration of the reports on the subject furnished by the various Revenue authorities, that the introduction of the leasing system into the recently surveyed and assessed districts would be inexpedient, but that in the unsurveyed districts cases will probably occur in which advantages will accrue from leasing whole villages under efficient checks. The persons, however, who may be accepted as farmers should, in no case, be mere speculators unconnected with the village; and the greatest care should be taken to fix the rent at such a moderate amount as would leave a reasonable profit to the farmer without unduly pressing on the cultivators.

(True extract)
R. K. PRINGLE,
Chief Secretary to Government.

LEASES—"Kuboolayets," whenever taken from Farmers, to be exact counterparts of the Putta, or Lease.

Extract of a Letter to the Revenue Commissioner S. D., dated 17*th August* 1844, *No.* 2751.

"Para. 3. Referring to your 3rd para. I am desired to inform you, that whenever Kaboolayets are taken from Farmers, they should be exact counterparts of the Putta, or Lease."

No. 2752 of 1844.

Territorial Department—Revenue.

Copy of the above extract is forwarded to the Revenue Commissioner Northern Division for his information and guidance.

By order, &c.,
E. H. TOWNSEND,
Secretary to Government.

Bombay Castle,
17th August 1844.

LEASES—In framing —— of Land, &c., provision should always be made for their termination on the Lessee's breaking faith.

Extract para. 3 *of Government Letter to the Revenue Commissioner, dated the* 29*th June* 1846, *No.* 2712.

"Para. 3. The necessity of some provision for the termination of Leases, such as the present, on the non-fulfilment of the objects for which they are granted, as pointed out in Mr. Howard's last para., deserves attention; it may, therefore, be

advisable that you should call the notice of the Collectors to it, with a view to its universal observance in framing such Leases in future, although it is believed that in many instances it has not been neglected."

Extract para. 9 *from Letter No.* 36, *dated the* 1*st June* 1846, *from the Remembrancer of Legal Affairs to Government.*

"Para. 9. I may observe that, in most, if not all of the Leases of land in the districts that I have had an opportunity of seeing, Leases made on favorable terms, in order to encourage some object of improvement, due attention to which on the part of the Lessee is made the foundation of the concession by Government, no power has been reserved to Government of putting an end to the tenancy in the event of the Lessee breaking faith. I think it very important, as a general rule, that the Collector, in such cases, should reserve to himself a power, with the sanction of the Honorable the Governor in Council, of cancelling the Grant or Lease in the event of the Lessee not fulfilling the objects thereof, and after six months notice to him in writing to observe or carry out the same."

LEASES.—In Sales of ——, Farms, or Contracts, the purchasers should be required to sign the paper which specifies the terms or conditions of Sale.—*See Extract of Government Letter No.* 8823 *of* 1851, *under* "Sales."

LEASES.—Collectors of Goojráth to make a provision in all future —— granted to Cultivators in villages managed according to the *Khatabundee* and *Hoondabundee* system, that these Leases will be at once cancelled on the introduction of the Revenue Survey.—*See Government Resolution No.* 6763, *of* 18*th October* 1852, *under* "Survey."

LEAVE OF ABSENCE.—Form of Application to be adopted by Civil Servants when applying for ——.

Notification.

General Department.

The Honorable the Governor in Council is pleased particularly to enjoin the attention of Civil Servants, and others coming under the same Absentee Regulations, to the orders of 9th August 1831, and 23rd November 1835; and, in accordance with those orders, to lay down the following form of a letter to be observed in all applications for Leave of Absence. Parties not conforming to these instructions will be liable to have their letters returned unanswered:—

To the Secretary to Government,

—— Department.

Sir,—I have the honor to request Leave of Absence, under the Absentee Regulation, Section *(fill up Section XI. or whatever may be applicable)* to proceed to *(state where)* for the period of *(state how long)* on account of *(state if private*

affairs or sickness—handing up a medical certificate as required by the Regulation, if the latter). I returned to my Station from my last Leave under Section *(state which)* on the —— of —— 18 —— *(fill up date).*

2. I further beg to state that the Leave of Absence allowed me during the twenty-four months preceding the present application, is as follows:—

From ——— to —— 18 —
From ——— to —— 18 — } Fill up dates.

I have, &c.,

———————.

By order of the Honorable the Governor in Council,

Bombay Castle,
29th August 1842.

W. R. Morris,
Secretary to Government.

LEAVE OF ABSENCE.—Applications from Collectors and their Assistants for ——, to be sent through the Revenue Commissioner.

No. 14 of 1843.

Territorial Department—Revenue.

To W. Simson, Esq., Revenue Commissioner.

Sir,—I am directed to inform you, that the Honorable the Governor in Council has been pleased to resolve, that henceforth all applications for Leave of Absence, both from the Collectors and their Assistants, shall be submitted to Government through your Department, and to request, that in forwarding them, you will state your opinion, whether, from the state of business or other causes, it may be expedient or not to grant the leave applied for. When no objection exists, the application, I am desired to add, need only be handed up with a recommendatory endorsement.

2. You will be pleased to issue the necessary instructions to all the Revenue Authorities under your control, to conform to the Rule now laid down.

I have, &c.,

Bombay Castle,
5th January 1843.

L. R. Reid,
Chief Secretary.

(See the Orders of 8th March 1843 following.)

LEAVE OF ABSENCE.—Applications from Collectors and their Assistants for ——, on *Medical Certificate, not* to be sent through the Revenue Commissioner.

Extract para. 2 from Government Letter No. 732, dated the 8th March 1843.

"Para. 2. Adverting to your 2nd para. I am instructed to acquaint you, that the Rule prescribed in my letter No. 14 of the 5th January 1843, is not intended to extend to applications for leave under medical certificate, and that these need not be handed up to Government through your Department."

Extract, being para. 2 of a Government Resolution No. 8095, of 20th December 1852.

"Para. 2. The Revenue Commissioner's concurrence, when the application is supported by a medical certificate, is not required. The Civil Auditor and the Revenue Commissioner may be so advised."

LEAVE OF ABSENCE.—Memorandum forwarding Applications for —— to be written at the foot of the Applications.

No. 2714 of 1850.

To G. COLES, Esq., Collector of Rutnageeree.

SIR,—Under instructions from Government, dated the 20th instant, No. 4147, I have the honor to inform you, that your memorandum No. 515, dated 4th instant, on Mr. Robertson's application for leave of absence, should have been written *at the foot* of the latter document.

I have, &c.,
E. H. TOWNSEND,
Revenue Commissioner S. D.

Rev. Com.'s Camp, Nehr,
29th May 1850.

LEAVE OF ABSENCE.—Applications from Civil Officers for —— to be addressed to the Secretary to Government, and sent under cover to the Civil Auditor. Orders regarding reports of delivering over, and receiving charge, of Offices.

Notification.

General Department.

Applications for Leave of Absence, (on private affairs or sick certificate,) from Officers in the Civil Departments of the Public Service,) should hereafter, as heretofore, be addressed to the Secretary of the Department to which the applicant may belong; but after being so addressed, they should be placed under a cover directed to the Civil Auditor, who will promptly forward them to Government with the information he is required to furnish in regard to such applications.

2. Officers who may obtain leave of absence within the limits of the Presidency, either on private affairs or on sick certificate, need not report to Government the dates of their delivering over and receiving charge, unless the latter measure affect any other Officer not holding a fixed appointment in the same Department, and whose services may, by the return of the Absentee, become available for other purposes.

By order of the Right Honorable the Governor in Council,
C. J. ERSKINE,
Deputy Secretary to Government.

Bombay Castle,
22nd November 1849.

No. 4169 of 1850.

Territorial Department—Revenue.

To A. N. Shaw, Esq., Revenue Commissioner N. D.

Sir,—Adverting to your memorandum of the 6th instant, No. 1083, with enclosures, relative to the channel through which applications for leave of absence are to be submitted to Government, I have been directed to inform you that the instructions issued from your Department under date the 17th January 1843, No. 78, are still in force, the only modification being that the "recommendatory endorsement," though addressed to Government, is to be placed with the application on which it is written, under cover to the Civil Auditor, instead of under cover to the Secretary to Government.

2. A copy of this letter will be sent to the Revenue Commissioner Southern Division for his information and guidance.

I have, &c.,
H. E. Goldsmid,
Secretary to Government.

Bombay Castle,
21st May 1850.

LEAVE OF ABSENCE.—Orders regarding the Submission of Applications for —— by Public Officers when the Revenue Commissioner is out of the line of Post, &c.

Territorial Department—Revenue.

As the delay occasioned by an observance of the instructions conveyed in Government letter of 5th January 1843, No. 14,* entails inconvenience on applicants for leave of absence, His Lordship in Council is pleased to determine that the Rule shall only be observed when the Revenue Commissioner is on the line of Post between the Station where the applicant is employed and the Presidency; in other cases, the application for leave is to be addressed to Government, and sent direct, under cover, to the Civil Auditor,† and a duplicate to be forwarded by the Applicant to the Revenue Commissioner, who will immediately inform the Applicant whether or no the request has his (the Revenue Commissioner's) support.

2. In event of the application being complied with, the Applicant may avail himself of the permission which has been accorded, provided he learns previously from the Revenue Commissioner that the application has had his support; but in the event of his being informed that the Revenue Commissioner considers himself precluded from supporting the application, the conditional permission which may

* "The Honorable the Governor in Council has been pleased to resolve, that henceforth all applications for leave of absence, both from the Collectors and their Assistants, shall be submitted to Government through your (the Revenue Commissioner's) Department, and to request, that in forwarding them you will state your opinion, whether, from the state of business or other causes, it may be expedient or not to grant the leave applied for. When no objection exists, the application, I am desired to add, need only be handed up with a recommendatory endorsement."

† See Rule I. published from the General Department, under date 22nd November 1849, (page 1474 "*Government Gazette.*")

have been received in the interim from Government is not to be acted on, pending receipt of further instructions from the Secretariate.

3. Leave of absence granted conditionally under the above circumstances by Government will not be published in the "Government Gazette," until the report of the Revenue Commissioner has been received at the Secretary's office.

By order of the Right Honorable the Governor in Council,
H. E. GOLDSMID,
Secretary to Government.

Bombay Castle,
9th June 1852.

LEAVE OF ABSENCE.—Applications for ——, under Section XII. of the Absentee Rules, should fully specify the *reasons* for which they are made, the usual terms "*on urgent private affairs*" being too general.

No. 3968 of 1848.

Territorial Department—Revenue.

To D. A. BLANE, Esq., Revenue Commissioner N. D.

SIR,—With reference to your endorsement No. 1221, dated the 23rd ultimo, on a letter from the Collector of Broach, requesting leave of absence to visit Egypt on urgent privite affairs, I have been directed by the Right Honorable the Governor in Council to observe, that under the Rules, an applicant for leave under Section XII. should show sufficient cause for his application, the mere assertion of having "urgent private affairs" is too general. This omission should be supplied by Mr. ——, and you should not forward in future applications for such leave, unless the cause of application be sufficiently detailed.

I have, &c.,
W. COURTNEY,
Acting Secretary to Government.

Bombay Castle,
15th July 1848.

LEAVE OF ABSENCE.—Officers quitting their Stations on Sick Certificate, invariably to state in their applications the period for which they require —— ; &c.

Notification.

General Department.

The Right Honorable the Governor in Council is pleased to direct, that all Officers, whenever it may be necessary for them to quit their station on sick certificate, shall invariably state in their applications the period for which they require leave from their stations, even when they may be compelled to quit them before obtaining the sanction of Government to the measure.

Medical Officers under this Presidency, employed in Civil situations, shall transmit their applications for leave, whether on private affairs or sick certificate, through

the Superintending Surgeon of the Division, who will forward them through the Medical Board to Government, and those authories will state their opinion in each case, whether, the absence being of short duration, an arrangement for the discharge of the duties of the Absentee can be made in the Division, or whether further provision for that end is required.

By order, &c.,
C. NORRIS,
Chief Secretary.

Bombay Castle,
5th August 1835.

LEAVE OF ABSENCE.—Officers applying for —— on account of ill health, to furnish a Duplicate copy of their Medical Certificate with their applications, the original being forwarded by the Medical Officer to the Medical Board direct.

Notification.

General Department.

In supersession of the Notification of the 17th June 1841, the Honorable the Governor in Council is pleased to direct that, in all cases where leave is applied for, on account of ill health, by Officers subject to the provisions of the Civil Absentee Regulations, a duplicate of the medical certificate shall be forwarded with the application, and that the original, with the statement of the applicant's case, shall be transmitted by the Medical Officer, giving the certificate direct to the Medical Board, who will immediately hand it up to Government, with, if approved, the countersignature of one of the members, or, if disapproved, with the observations of the Board.

By order of the Right Honorable the Governor in Council,
W. ESCOMBE,
Secretary to Government.

Bombay Castle,
27th January 1846.

LEAVE OF ABSENCE.—Application for ——, on Medical Certificate, to be limited to one month, &c.

No. 1972 of 1849.

Territorial Department—Revenue.

To H. W. REEVES, Esq., Acting Collector of Poona.

SIR,—With reference to your letter No. 567, dated the 6th instant, to the address of the Revenue Commissioner Southern Division, submitting an application from your First Assistant Mr. —— for leave of absence from 1st instant for three months to proceed to Mahableshwur on Medical Certificate, I have been directed by the Right Honorable the Governor in Council to observe that, under the Civil Absentee Rules, Sections III. and V., and the Government Notification of the 22nd February 1842, an Officer is prohibited from leaving his Station in anticipation of the orders of Government, unless his Medical Attendant certify that, the delay

would be prejudicial to the health of the party,* and as no Certificate of this nature has been submitted on this occasion, I am to inform you that leave cannot be granted with any retrospective effect.

2. Mr. ——'s request to have a portion of the leave of absence under Section XI. free of deduction, is inadmissible under the Government Notification of the 24th April 1844.

3. His Lordship in Council has been pleased to grant Mr. —— leave of absence on Medical Certificate under Section VI., but for the period of one month only, which will be extended on the production of a renewed Medical Certificate.

I have, &c.,
W. COURTNEY,
Acting Secretary to Government.

Bombay Castle,
21st March 1849.

No. 3209 of 1850.

Territorial Department—Revenue.

To E. H. TOWNSEND, Esq., Revenue Commissioner S. D.

SIR,—With reference to the 3rd para. of the Government letter to the address of the Acting Collector of Poona, No. 1972, dated 21st March 1849, copy of which was sent to you with an endorsement of the same date, No. 1977, I have been directed to acquaint you that the Right Honorable the Governor in Council has been pleased so far to modify the rule therein laid down, as to render it only necessary that the first application for leave on sick certificate within the limits of the Presidency should be limited to one month, and to allow of applications after the termination of that period being made for as long as the extension may appear to the Medical Attendant advisable.

2. You will have the goodness to direct the Collectors under your control so to inform their Assistants, now on leave of absence on sick certificate within the limits of the Presidency.

I have, &c.,
H. E. GOLDSMID,
Secretary to Government.

Bombay Castle,
19th April 1850.

LEAVE OF ABSENCE.—Public Officers applying for ——, on Medical Certificate, will not be allowed to withdraw their Applications without assigning satisfactory reasons.

General Department.

In future when an Officer in Civil employ submits an application for leave of absence, supported by a medical certificate, he will not be allowed to withdraw the application without assigning some satisfactory reasons for so doing.

By order, &c.,
J. G. LUMSDEN,
Secretary to Government.

Bombay Castle,
24th February 1851.

* See also Government Circular of 5th February 1842, No. 340, at page 670.

LEAVE OF ABSENCE.—Officers applying for ——, on Sick Certificate, not to leave their Station till sanction is received, unless immediate departure be recommended by the Medical Attendant.

Circular.

No. 340 of 1842.

Territorial Department—Revenue.

To all the COLLECTORS.

SIR,—The sudden departure of any Civil Servant from his station on sick certificate having been found to be productive of great inconvenience to the Public Service, I am directed to inform you, that the Honorable the Governor in Council is pleased to establish it as a rule, that in all cases, the receipt of the sanction of Government should be awaited, unless the Medical Attendant should certify his opinion that delay would be prejudicial to the health of the party. It is, I am desired to add, often necessary that measures should be adopted for supplying the place of the Absentee, and unless the disease be of an alarming and urgent nature, but little inconvenience can arise to the party from being obliged to await the orders of Government.

I have, &c.,
D. BLANE,
Acting Secretary to Government.

Bombay Castle,
5th February 1842.

LEAVE OF ABSENCE.—Civil Servants in the interior, proceeding to Europe, allowed one month's —— from their Stations, on private affairs, free of deduction, together with the assigned number of travelling days.

General Department.

The Right Honorable the Governor in Council is pleased to add the following Rule to the Absentee Regulations of this Presidency:—

Civil Servants stationed in the interior will, on the occasion of their proceeding to Europe, be allowed a month's leave of absence from their station, on private affairs, free of deduction, together with the assigned number of travelling days from the station to the place of embarkation.

By order, &c.,
W. H. WATHEN,
Secretary to Government.

Bombay Castle,
11th May 1835.

LEAVE OF ABSENCE.—Rules regulating the grant of ——.to Civil Servants proceeding to Europe.

Notification.

General Department.

The Honorable the Governor in Council is pleased to publish the following letter from the Honorable the Court of Directors, dated the 4th September 1840; and directs that each Civil Servant, returning to Europe under the Absentee Regulations, or on Special Leave, should apply to the Secretary to Government in the General Department for a copy thereof for his guidance.

"Para. 1. We have to acquaint you that we have adopted the following Regulations with respect to the grant of extensions of leave to Members of the Indian Civil Establishments repairing to this country under the Absentee Regulations, or on Special Leave of Absence, viz:—

"That Civil Servants coming to England under the Absentee Regulations, or on Special Leave, shall, immediately on their arrival, report themselves, with their address, by letter, to our Secretary, forwarding at the same time the certificates which they received in India.

"That in all cases of leave, Civil Servants be required to join the Establishment to which they belong at the expiration of the term for which leave may have been granted, unless they shall have obtained an extension of it from us six months before the expiration of the said leave.

"That extensions of leave will not in future be granted by us except in cases of sickness, certified to our satisfaction, or in cases in which it shall be proved that a further residence in Europe is indispensably necessary.

"That when, under any such circumstances, a Civil Servant shall have obtained an extension of leave to a given period, he must, at the expiration thereof, apply for and obtain our permission either to return to his duty, or to reside a further time in Europe, failing in which he shall be liable to be struck off the List of Civil Servants.

"That the Act of the 33rd Geo. 3, Chap. 52, Section 70, as it respects Civil Servants, applies only to cases of sickness, infirmity, or *inevitable accident*; and that no Civil Servant be hereafter considered eligible to return to the Service after five years' absence under that enactment, who has failed to obtain from us, agreeably to the foregoing Regulations, an extension of leave under the circumstances referred to in the Act.

"Para. 2. We desire that the foregoing Regulations be published for general information, and that each Civil Servant returning to this country under the Absentee Regulations, or on Special Leave, be furnished with a copy for his guidance."

East India House, London,
4th September 1840.

Bombay Castle,
21st October 1840.

By order, &c.,
W. R. Morris,
Secretary to Government.

LEAVE OF ABSENCE.—One month's —— to Civilians requiring to visit the Presidency to qualify in the Native Languages not objected to.

Extract, being para. 1 *of a Government Resolution No.* 1228, *of 7th March* 1854.

"Para. 1. Government do not object to Civilians obtaining one month's leave of absence to visit the Presidency, with a view of qualifying themselves for an examination in the language of the province in which they are employed."

LEAVE OF ABSENCE.—Rules for regulating —— to Military Officers in Civil situations, Medical Officers at Civil Stations, and Chaplains.

No. 5056.

To the CHIEF SECRETARY to the GOVERNMENT of Bombay.

Extract from the Proceedings of the Most Noble the Governor General of India in Council, in the Financial Department, under date the 23rd November 1854.

Read an extract from the Proceedings of the Most Noble the Governor General of India in Council, in the Military Department, No. 226, dated the 9th instant, forwarding for consideration and orders a letter No. 1267A, dated the 20th October last, from the Secretary to the Government of the North-West Provinces, with its enclosure, inquiring what discretion is vested in the Local Government in regard to the granting of indulgence leave, and leave for small periods not exceeding three months, within the limits of the Presidency to (1) Military Officers in Civil situations; (2) Medical Officers at Civil Stations; and (3) to Chaplains.

Read also a letter, No. 1347A, of the 28th October last, from the Secretary to the Government North-Western Provinces, addressed to this Department, on the same subject.

Read an office memorandum No. 4876, of the 17th instant, with its enclosure, from the Foreign Department, on the subject of short leave, on private affairs, to Medical Officers in Civil employ.

RESOLUTION.—With respect to the granting of short leave of absence, on private affairs, to *Chaplains*, the Most Noble the Governor General in Council would refer the Lieutenant Governor of the North-Western Provinces to Section XXXII. of the Rule of the 25th August last, for the grant of leave of absence to Civil Servants; and to the Resolution passed in this Department on the 29th September last, by the former of which "Chaplains and Assistant Chaplains may take furlough, on private affairs and on medical certificate, also short leave on private affairs, on the same terms and conditions as Military Officers," with the modifications subsequently mentioned in the Absentee Rules, and by the latter of which they were placed on the same footing as Military Servants in respect to sick leave in India.

With respect to Medical Officers, it was ruled on the 11th instant,* in the case of Dr. ——, Civil Assistant Surgeon of Pooree, that "as under the Notification issued from the Home Department on the 11th March 1853, a Medical

* Copy of the Letter to the Civil Auditor, Bengal, No. 5005, dated 11th November 1854, hereto annexed.

Officer has hitherto been entitled to privilege leave on the same terms as Military Officers in Civil employ; and as such Officers have been declared by Section XX. of the Civil Absentee Rules of the 25th August last to be subject to the Rules* laid down in the Honorable Court's Military Despatch No. 18, of the 31st December 1853, for the grant of leave of absence and furlough to Officers holding Military Staff appointments, the case of Dr. ——, and of Medical Officers generally, must also be considered subject to the rules in force in respect to the grant of privilege leave to Military Officers in Civil employ;" and His Lordship in Council is now pleased to rule, in like manner, in respect to short leave, on private affairs, other than privilege leave.

* These Rules have been subsequently modified, Vide G. O. G. G., No. 1150 of 1854, dated 17th November.

His Lordship in Council is further pleased to rule, with reference to Section XX. of the Rules for Leave of Absence to Civil Servants, that both Medical Officers at Civil Stations and Military Officers in Civil employ, shall be subject, in respect to privilege leave, and short leave on private affairs, to the same rules as Officers holding Military Staff appointments, on the understanding, however, that the leave shall be granted only with the sanction of Government.

ORDER.—Ordered, that a copy of the foregoing Resolution be sent to the Military Department, in reply to the extract above adverted to, and that a copy be sent to the Foreign Department, with advertence to the office memorandum from that Department, No. 4876, of the 17th instant.

Ordered, also, that a copy of the above Resolution be sent to the Home Department for its information.

Ordered, further, that a copy of the foregoing Resolution be sent to the Government of the North-West Provinces in reply to a letter from that Government, No. 1347A, of the 28th ultimo, and that a copy be sent to the several local Governments noted in the margin,* and to the Civil Auditor, for his information and guidance.

* Bengal.
Madras.
Bombay.
Eastern Settlement.

(A true extract)

C. H. LUSHINGTON,
Offg. Secretary to the Government of India.

No. 5005.

Financial Department.

To W. P. PALMER, Esq., Civil Auditor.

SIR,—I have the honor to acknowledge the receipt of your letter No. 1853, dated the 26th ultimo, with its enclosures, submitting for orders a reference which has been made to you by the Government of Bengal, inquiring whether one month's privilege leave can be granted to Dr. ——, Civil Surgeon of Pooree, under the New Absentee Rules, and, if so, under what Section of those Rules.

2.—In reply, I am desired to inform you that, as under the notification issued

from the Home Department on the 11th March 1853, a Medical Officer has hitherto been entitled to privilege leave on the same terms as Military Officers in Civil employ, and as such Officers have been declared by Section XX. of the Civil Absentee Rules of the 25th August last to be subject to the rules laid down in the Honorable Court's Military despatch No. 18, of the 31st December 1853, for the grant of leave of absence on Medical Certificate, and furlough to Officers holding Military Staff appointments, the case of Dr. ——, and of Medical Officers generally, must also be considered subject to the rules in force in respect to the grant of privilege leave to Military Officers in Civil employ.

3. The original enclosures which accompanied your letter are herewith returned.

I have, &c.,
C. H. LUSHINGTON,
Offg. Secretary to the Government of India.

Council Chamber,
The 11th November 1854.

(A true copy)
C. H. LUSHINGTON,
Offg. Secretary to the Government of India.

LEAVE OF ABSENCE.—A Special Report not to be made by Superintendents of Survey, either to Government or the Revenue Commissioners of —— granted to their Assistants, provided the period of absence from the Districts does not exceed one month in the year, &c. *See Government Resolution No.* 2324, *of* 18*th May* 1854, *under* "Survey."

LEAVE OF ABSENCE.—The Rules which should be held to regulate —— to Hoozoor and District Deputy Collectors.

Extract, being para. 2 *of a Memorandum No.* 3178, *of* 30*th December* 1852, *from the Revenue Commissioner S. D. to Government.*

"Para. 2. The Absentee Rules of 18th December 1843, quoted by the Acting Collector, are inapplicable to the class of Officers to which the applicant belongs; those forwarded with the Government letter No. 3559 of 1849,* the Revenue Commissioner submits should rather have been quoted. On this point, however, the instructions of Government are solicited."

Extract, being para. 1 *of a Government Resolution No.* 651, *of* 31*st January* 1853, *to the address of the Revenue Commissioner S. D.*

"Para. 1. Deputy Collectors (District and Hoozoor) are to be granted leave under the rules set down in the memorandum submitted by the Civil Auditor, under date the 21st August 1848, No. 403, of which copy was forwarded with Government letter of 29th May 1849, Nos. 3559,† and 3560 to the

† Circulated in the Southern Division, under date the 12th June 1849, No. 2557.

* See page 18.

two Revenue Commissioners, Messrs. Townsend and Shaw; and the Civil Auditor to be so informed: the Revenue Commissioners to communicate the order to the several Collectors under their control."

LEAVE OF ABSENCE.—The Medical Certificate of Deputy Collectors, to be countersigned by the Medical Board, as is done with regard to the Certificates of Covenanted Servants.

Extract para. 2 of Government Resolution No. 1338, of 13th March 1854.

"Para. 2. In future the medical certificates of Deputy Collectors should be held to require countersignature of the Medical Board, as is the case with regard to the certificates of Covenanted Servants."

LEAVE OF ABSENCE.—Applications for —— from Uncovenanted Servants who receive their appointments from Government, can be sanctioned by that authority *only*.

Extract, being para. 2 of a Report from the Civil Auditor to Government, dated the 24th May 1853, No. 66.

"Para. 2. Referring to the concluding part of Mr. Courtney's letter No. 1297, of the 14th instant, the Civil Auditor begs to state, that the Audit Department considers it as a rule, that to those Uncovenanted Servants who receive their appointments direct from Government, leave of absence should be granted by Government only; but in respect to others who are appointed to the situations they hold by the Heads of the Offices to which they belong, leave may be granted to them by the Heads of those Offices, without the sanction of Government thereto being solicited."

LEAVE OF ABSENCE.—Rules for regulating —— to English Writers and other Uncovenanted Servants, not affected by the Rules of 18th December 1843. *See the Government Letter No. 3559 of 1849, under* "Absentee Rules."

LEAVE OF ABSENCE.—Rules for regulating —— to Native Revenue Officers. *See the Orders of 18th December 1843, under* "Absentee Rules."

LEAVE OF ABSENCE.—Applications from Dufturdars for ——, to be sanctioned by the Revenue Commissioner.

No. 909 of 1847.

Territorial Department—Revenue.

To D. A. Blane, Esq., Revenue Commissioner N. D.

Sir,—In acknowledging the receipt of Mr. Townsend's letter No. 1629, dated the 1st October last, requesting instructions as to whether applications for leave of absence from Dufturdars are to be submitted for the sanction of Government, under the New Rules for the Uncovenanted Servants, I am directed by the Honorable the Governor in Council to inform you, that as the appointment of Officers of that class, although subject to the confirmation of Government, is yet made in the

first instance by your Department, you are authorised, in conformity with the Resolution of Government of the 19th September 1846, to grant leave of absence to those Officers.

I have, &c.,
R. K. PRINGLE,
Chief Secretary.

Bombay Castle,
15th April 1847.

LEAVE OF ABSENCE.—Orders regarding the grant of —— to their Revenue Officers by Collectors on their own responsibility, &c.

Extract, being para. 1 *of Government Letter to Revenue Commissioner N. D., No.* 326, *dated* 21*st January* 1845.

"Para. 1. With reference to your letter of 2nd October last, No. 1220, and your endorsement No. 1561, dated 20th ultimo, upon a letter from the Collector of Surat, dated 10th idem, on the subject of modifying a part of the Absentee Rules for Native Servants, passed on the 18th December 1843, I am desired to acquaint you that the Honorable the Governor in Council is pleased to authorise Collectors, as proposed by you in para. 1 of the former communication, to grant leave of absence, for short periods, to their Native District Officers, on emergency, on their own responsibility, reporting the same immediately for confirmation, on the understanding, however, that arrangements will always be made in such cases for the efficient discharge of the Absentee's duties without putting Government to any extra expense.

No. 82 of 1852.

Territorial Department—Revenue.

Forwarded for the instructions of Government.

2. In advertence to the privilege allowed to Collectors of granting leave for short periods, but requiring an immediate report to this Department, by Mr. Secretary Townsend's letter No. 326, of 21st January 1845, the Revenue Commissioner is respectfully of opinion, that with the view of diminishing clerical labor, the Collectors might be allowed to give leave on emergent occasions for short periods, not exceeding in the aggregate one month in the year, reporting the same for confirmation by a Return to be furnished to this Department regularly on the 1st of each month.

Rev. Com.'s Camp, Tannah Districts,
Kussara, 10th January 1852.

E. G. FAWCETT,
Revenue Commissioner N. D.

No. 588 of 1851.

From the COLLECTOR of SURAT,

To E. G. FAWCETT, Esq., Revenue Commissioner N. D.

SIR,—With a view to diminish clerical labor, I have the honor to suggest for your consideration, that Collectors be authorised to grant, without the sanction

of your Department, leave of absence for a period of less than a month in a year to the Native Revenue Officers, specified in the Rules of the 18th December 1843, their salary being subject to the deductions directed in the rules in question, and their names, &c. appearing in the Monthly Return rendered to your Department.

I have, &c.,
J. M. DAVIES,
Collector.

Surat, Col.'s Camp, Balda Pardee,
Parnera Talooka, 29th December 1851.

Resolution on a Memorandum from the Revenue Commissioner N. D., No. 82, dated 10th January 1852, suggesting that Collectors be permitted to grant to the Revenue Officers under them Leave of Absence for short periods not exceeding one month in the year, and that they submit a Return at the end of each month for the confirmation of his Department.

The Board approve of the suggestion of the late Collector of Surat. The Revenue Commissioner Southern Division to be advised.

No. 682 of 1852.

Territorial Department—Revenue.

Copy of the foregoing documents are forwarded to the Revenue Commissioner Southern Division, for information and guidance.

By order, &c.,
H. E. GOLDSMID,
Secretary to Government.

Bombay Castle,
29th January 1852.

LEAVE OF ABSENCE.—Mamlutdars and Mahalkurrees may grant ——, for fourteen days, to District or Village Officers, without reference to Head Quarters, unless the Collector or Assistant Collector is in the immediate neighbourhood, when the grant of leave should be reported. *See Government Letter No. 7724 of* 1850, *under* "District Hereditary Officers."

LEAVE OF ABSENCE.—Deductions from the Salaries of Native Officers proceeding on —— how to be made under Clause 2nd of Section V. of the Absentee Rules of 18th December 1843.*

No. 2344 of 1844.

Territorial Department—Revenue.

To E. E. ELLIOT, Esq., Civil Auditor.

SIR,—With reference to your report No. 263, dated the 20th ultimo, on a letter from the Collector of Surat of the 8th idem, to the address of the Revenue Commissioner Northern Division, I am directed to inform you that the Honorable the

* See page 17.

Governor in Council is pleased to sanction the construction placed by you on Clause 2nd of Section V. of the Rules established by Government on the 18th December 1843, for regulating leave of absence to the higher classes of Native Revenue Officers, viz. that the deduction of one-half of the Absentee's salary, therein provided for, in cases of absence for more than three months, shall be held to apply only to such period as may be in excess of the first three months, during which latter the deduction shall, in all cases, be made at the rate of one-fourth only.

I have, &c.,
E. H. TOWNSEND,
Secretary to Government.

Bombay Castle,
17th July 1844.

LEAVE OF ABSENCE.—Reports of Native Revenue Officers rejoining their Stations from ——, to be sent direct to the Civil Auditor.

No. 4348 of 1844.

Territorial Department—Revenue.

To D. A. BLANE, Esq., Revenue Commissioner S. D.

SIR,—As the Reports showing the date on which Native Revenue Officers rejoin their Stations after leave of absence granted to them under the Rules of the 18th December 1843 are intended only for the information of the Civil Auditor, I am directed by the Honorable the Governor in Council to request that they be in future submitted to that Officer direct.

I have, &c.,
E. H. TOWNSEND,
Secretary to Government.

Bombay Castle,
2nd December 1844.

LEAVE OF ABSENCE.—Monthly Returns of —— granted to Native Revenue Officers to be furnished according to a prescribed form.

No. 1119 of 1844-45.

Territorial Department—Revenue.

To D. A. BLANE, Esq., Revenue Commissioner S. D.

SIR,—With reference to the Government letter to you address, No. 4348, of the 2nd instant, I have the honor to request, that you will do me the favor, in future, to substitute a Monthly Return of Absent Native Revenue Officers, as per accompanying form, for the separate letters hitherto transmitted, commencing with the absentees of the present month, to be dated 1st January 1845.

2. For those months in which there may be no Absentees to report, you will be pleased to furnish Blank Returns.

I have, &c.,
E. E. ELLIOT,
Civil Auditor.

Bombay Castle, Civil Auditor's Office,
18th December 1844.

FORM.

RETURN *showing the Leave of Absence granted to Native Revenue Servants, in the different Collectorates, by the Revenue Commissioner of the Southern Division, under the Provisions of the Rules passed by Government on the* 18*th December* 1843, *during the month of December* 1844.

1*st January* 1845.

Collectorates.	Names of the Absentees.	Designation of the Absentee.	Period for which Leave has been granted.	Period of actual Absence.					Remarks.
				Date of leaving their Duties.	Date of resuming their Duties.	Years.	Months.	Days.	
Poona	A. B. ...	Mamlutdar of Pabul.							
Ahmednuggur.....									
Sholapore									
Belgaum									
Dharwar									
Rutnageeree									
Collector of Continental Customs and Excise									

E. E. ELLIOT,
Civil Auditor.

LIFE-CERTIFICATES.—Rules regarding the requiring of —— and of Certificates of identification, from Non-resident Holders of Life-grants of Land. Such Certificates not to be required from Sirdars, or in the case of Hereditary Inams.

Extract, being para. 4 *of a Letter from the Revenue Commissioner S. D., to Government, dated the* 11*th May* 1850, *No.* 2385.

"Para. 4. It is also requisite to have in every Collector's office, whence payments of Personal Allowances are made, a Registry, descriptive of the person who receives the allowance—showing his age, height, and appearance, and noting, especially, any marks by which he can be identified. Such a Registry was framed at Tanna in 1826, under the orders of Mr. J. B. Simson, then Collector there, and a similar one exists at Belgaum; and where such a Registry does not exist, Government must always be liable to imposition whether by new or by old claimants."

Extract, being para. 4 *of the Government Letter replying to the foregoing, dated the* 6*th June* 1850, *No.* 4497.

"Para. 4. The Registry alluded to in your 4th para. is indispensably necessary in all the Collectorates whence payments of Personal Allowances are made, and you are requested to direct the Collectors of the Districts where it does not exist to

have it framed in their offices. Similar instructions will be sent to the Revenue Commissioner Northern Division."

No. 7654 of 1850.

Territorial Department—Revenue.

To A. N. SHAW, Esq., Revenue Commissioner N. D.

SIR,—I have been directed to acknowledge the receipt of your letter No. 2529, dated 28th ultimo, and in reply to inform you that the Right Honorable the Governor in Council does not think a Life-Certificate should be required in the case of Hereditary Inams, but is of opinion that the Collector can, and ought, from time to time, to make such inquiries as will satisfy him that the race of the original grantee is not extinct.

I have, &c.,
H. E. GOLDSMID,
Secretary to Government.

Bombay Castle,
21st October 1850.

Circular.

No. 9873 of 1850.

Territorial Department—Revenue.

To all the COLLECTORS.

SIR,—I have been directed to communicate, for your guidance, the following Rules, which the Right Honorable the Governor in Council has been pleased to establish throughout this Presidency :—

Non-resident holders of Life-grants of Land, wholly or partially free from assessment, to furnish, every second year, a Life-Certificate. The Collector from time to time to make such inquiries as will enable him to ascertain that the race of the original grantee of an Hereditary Inam, or other Hereditary holding, partially or wholly free of assessment, is not extinct.

I have, &c.,
H. E. GOLDSMID,
Secretary to Government.

Bombay Castle,
26th December 1850.

No. 6862 of 1852.

Territorial Department—Revenue.

To the REVENUE COMMISSIONER S. D.

Copy of the Resolution passed by Government under date 21st October 1852, on a Memorandum dated 12th September 1852, from Yeshwuntrao Powar, Suvusthan Multun, Talooka Kurda, Zillah Ahmednuggur, regarding a Life-Certificate demanded from him during his absence from his Villages.

The writer states that the villages are enjoyed on Hereditary Tenure: whether or no this is the case, a Life-Certificate from a man of importance like him, when

residing on his estate, cannot be necessary. The Collector can, without demanding a Certificate, take measures for ascertaining whether he is in existence. Even if the tenure were for life, it was not intended that the Government order of 26th December 1850, No. 9873, should refer to Sirdars such as the writer; and, if Hereditary, the demand of a Certificate is prohibited by the Government letter of 21st October 1850, No. 7654, of which, and the letter to which it was a reply, copies should be sent to the Revenue Commissioner Southern Division for the information and guidance of the Collectors under his control.

A. MALET,
Chief Secretary to Government.

No. 2680 of 1854.

Territorial Department—Revenue.

To the REVENUE COMMISSIONER N. D.

Copy of the Resolution passed by Government under date 5th June 1854, *on the Reports, as per margin, by the Collector of Broach, on a Petition from Mota Ghohal Maharna Chutursingjee Purbutsingjee, and Ghohel Juswuntsingjee Purbutsingjee, of Suvusthan Gopalpoora.*

No. 274, dated 1st March 1854.
No. 371, dated 25th March 1854.

The Governor in Council is still of opinion, that where so great a responsibility rests on Disbursing Officers, it would be inexpedient for Government to define the precise measures to be taken with a view of enabling those Officers to identify claimants and prevent false personations.

2. At the same time His Lordship in Council is not of opinion that Descriptive Rolls of height, marks, &c. can be necessary in the case of Girassias of rank and importance. There must be a large number of Hereditray Officers and of respectable people in the District who can recognise such Girassias, and testify, in writing, to their recognition: moreover, the Mamlutdars and Mahalkurrees as Head Revenue and Police Officers, can take sufficient measures for ascertaining when the claimants residing in their Districts die off.

3. The orders of 6th June 1850 were passed with reference rather to recipients of Wurshasun and Dhurmadeo allowances or petty pensioners, than to persons in enjoyment of Girassia dues; and Government did not, at the time of passing those orders, understand that they would affect men of family and importance.

4. As regards the representation for disposal, (as the parties complaining are inhabitants of the Rajpeepla Districts,) Captain —— should be informed that his certificates will be considered to afford sufficient evidence as to the existence of the persons named therein, and that Government of course rely on his not furnishing such certificates, unless fully satisfied by his own acquaintance with the individuals, or by the written reports or evidence of respectable and responsible persons, that the claimants are alive, and not personated by any other individuals.

5. The date and number of this Resolution to be quoted by Captain —— in the body of each certificate.

H. E. GOLDSMID,
Offg. Chief Secy. to Government.

LIQUOR.—Inamdars have no right to grant Licenses for the Sale of ——, or Opium. *See Government Letter No.* 3577 of 1834, *under* "Inamdars."

LIQUOR.—Farmers to be changed when they are found to be active in extending the consumption of Liquor. Licenses to be withheld when the grant of them might prove adverse to the wishes of the influential Inhabitants: Government desire to *diminish* the quantity of Spirits consumed in the Country, and to check the vice of Drunkenness; &c., &c.

Extract, being part of paras. 12, 13 *and* 17 *of a Letter from Government to the Revenue Commissioner, dated* 17*th September* 1838, *No.* 3459.

"Para. 12. * * * On the contrary, when the Collector finds that the Farm has got into the hands of an active man, who exerts himself to extend the consumption, it would be well to take an early opportunity to change the farmer.

"13. Another point of consequence is, that the Collector should not authorise the opening of a new Liquor shop in any place without the sanction of Government, which sanction will not be given unless it appears most probable that the refusal will lead to clandestine sale, or, on other strong grounds, that it is the least of two evils. Whenever the influential natives of all classes in the town prefer a written application that Liquor shops be not licensed, and the Collector believes that such a measure would be beneficial, he should be at liberty to withhold Licenses, reporting his proceedings to Government.

* * * * * * * *

"17. It cannot be too strongly urged upon the Collectors, that the object which Government has in view is to restrain, and, if possible, to correct and diminish the total actual consumption of spirituous liquors, whether clandestine or licensed, being fully persuaded that any amount of revenue that may be lost by the efficiency of the system for this end, will be repaid a hundred fold in the preservation and advancement of moral feeling and industrious habits among the people."

Circular.

No. 2891 of 1843.

Territorial Department—Revenue.

To the COLLECTORS.

SIR,—I am directed by the Honorable the Governor in Council to transmit for your information the accompanying copy of a letter from the Honorable the

Court of Directors, No. 17 of 1843, on the subject of restrictions on the sale of spirituous liquors.

I have, &c.,
L. R. Reid,
Chief Secretary.

Bombay Castle,
2nd September 1843.

No. 17 of 1843.

Revenue Department.

Our Governor in Council at Bombay.

"Para. 1. The arrangements reported in these letters, which have been framed, rather with a view to the improvement of the Police by restricting the number of Spirit shops, and restraining within the narrowest practicable limits the vice of drunkenness, than with regard to the increase of the Revenue, appear to have been well considered, and to be calculated to effect the objects which you proposed.

Letter, dated 21st April, No. 17, 1842.
Letter, dated 23rd January, No. 37, 1843.
Proceedings connected with the introduction of the new Licensing system for the Sale of Spirits within the Island of Bombay, under Act. XVIII. of 1840.

"2. We trust that the same important considerations influence the directions which you issue to the Officers entrusted with the Collection of the Abkaree revenue in the Mofussil. The greatest activity should be encouraged in the prevention of smuggling, and in bringing to charge every thing which is consumed; but no Officer should be allowed to believe that it forms part of his duty to throw temptation in the way of the people with a view to increase the Revenue of his district."

We are, &c.,
John Cotton, and other Directors.

London,
14th June 1843.

Extract of a Letter from Government to the Senior Magistrate of Police, and the Collector of Land Revenue, Bombay, dated 22nd June 1844, *No.* 2065.

"Government would, I am here desired to remark, very willingly relinquish all revenue from this source, could it thereby abate the increasing vice of drunkenness. This, however, being impracticable, the next object of Government is to check it by enhancing the price of intoxicating liquors."

Extract of a Letter from Government to the Senior Magistrate of Police, and Collector of Land Revenue, Bombay, dated the 12th December 1844, *No.* 4439.

"I am directed to acknowledge the receipt of your letter, dated the 22nd ultimo,

and to inform you that the Honorable the Governor in Council approves of the sale, by public competition, of the six Licenses which have lapsed by deaths, unless any of them should be in such locality that the shop may be dispensed with altogether. Government desire that every opportunity should be taken to diminish the number of shops, care being taken that the reduction be not such as to encourage illicit sale. I am directed to request that you will, before exposing them to sale, report where each of these shops is situated, and what is the distance between it and the other liquor shops in the vicinity."

Extract of a Letter from Government to the Senior Magistrate of Police, and Collector of Land Revenue, Bombay, dated 25th January 1847, *No.* 265.

"The object of Government is to establish so many shops only as will prevent recourse being had to illicit sale; and, bearing this in view, you should avail yourselves of every opportunity of reducing the number. For all purposes, whether of Police or Revenue, provided there be no contraband sale, His Honor in Council considers it far better that there should be one or two large Liquor shops in a neighbourhood, than that there should be ten or fifteen smaller shops."

Extract of a Letter from Government to the Senior Magistrate of Police, and the Collector of Land Revenue, Bombay, dated 18*th August* 1848, *No.* 4856.

"It cannot, I have been desired to observe, be too strongly impressed on you that the raising of a revenue from this source is only so far of importance, as it may tend, by raising the price of spirituous liquors to check their consumption. Government would gladly relinquish the revenue altogether, could it thereby materially diminish the demoralising vice of drunkenness, which, it is to be feared, has of late years increased considerably among the lower classes."

Extract of a Letter from Government to the Revenue Commissioner S. D., dated 21st October 1851, *No.* 10098.

"With reference to your memorandum No. 3403, dated the 4th instant, on a letter from the Collector of Dharwar, I have been directed by the Right Honorable the Governor in Council to request that you will have the goodness to inform Mr. ——, that Government depend on his exerting himself to the utmost to reduce the consumption of spirituous liquors in his Collectorate."

LITHOGRAPHY.—All orders for work in ——, or Printing, to be sent to the Superintendent of the Education Society's Press. *See Government Notification of 5th April* 1848, *under* "Printing."

LITHOGRAPHY.—Receipts to be furnished for all work in —— which may be executed at the Education Society's Press for Public Departments. *See Government Circular No.* 3855 *of* 1848, *under* "Printing."

M

MAHALKURREES.—All new appointments of —— to be Probationary for one year. *See Extract from the Revenue Commissioners' Joint Report, No.* 1, *of* 16*th October* 1845, *under* "Public Officers."

MAHARS.—Orders regarding the keeping of Accounts of all Lapses of Land and other Allowances held by ——, or otherwise appropriated to Police purposes. *See Govevnment Letter of* 22*nd November* 1850, *No.* 8602, *under* "Land."

MAL-ZAMEEN.—The demanding of —— prohibited, except in cases in which the non-enforcement of the practice would endanger the realization of the Revenue.

Extract of a Letter from the Revenue Commissioner, dated 23*rd April* 1833, *No.* 606, *to Government.*

"Para. 10. Mr. Townsend seems to have acted very properly in opposing 'the system' which he observes 'is so prevalent of making the Marwarrees, Soucars, and other money-changers the medium through which the collections are made'; and the present Collector and his Assistants should bear well in mind the following remarks which occur in the 17th para.:—'The system is, however, very much favored by our Talooka and village authorities, and I have little idea that any orders on this subject will be attended to when they oppose the inclinations and interests of so many, unless they are for a long time steadily enforced.' This evil, I believe, exists in greater or less degree in every province of India; that, however, does not render it the less advisable to check it as much as possible, nor does it detract from the truth and force of the following observations of Mr. Townsend. 'It would be superfluous,' he says, 'to enlarge on the evils of a system which throws the Ryuts on the mercy of the Marwarrees—which tends to render the system of accounts complicated—which places the receipt of the Revenues in the hands of a class of people not Government servants, and who have themselves a direct interest in retaining money collected, and to whom it is very generally difficult to trace this money by any proof that could be admitted in our Courts of Justice.'"

Extract of a Letter from the Collector of Ahmednuggur, dated 3*rd September* 1832, *No.* 354, *to the Revenue Commissioner.*

"Para. 16. The receipts and Kucha Khails all combined to prove the universality of the system of receiving the whole revenues of the country through the medium of Bunyàs and Marwarrees. The plan universally established seems to be to take the security of these persons for any number of the Ryuts with whom they may have dealings; the Ryuts then generally obtain receipts, the money is

seldom entered in the Rozkeerd till actually obtained from the Marwarree, which often is not till after many months. If the money, for which the Marwarree's security (this security being only verbal, the Marwarree often denies it in toto when called on to pay for those whose bond he has received,) is accepted, be entered in the books, it often is handed down from year to year as 'balance'; the Koolkurnee when called on for this balance declares that it has 'remained' with the Marwarree, and that it has 'come down' from former Koolkurnees. I am, I fear, too prolix on this subject; but it seems to me that the gross irregularities of the village accounts;—the basis of our whole system,—have been scarcely brought to the notice of Government, and that as very much depends on the correction of the evils which now exist, it is a matter of importance to bring these to the notice of those who may devise more effectual means for their correction, than seem to be as yet in force. I am at this moment engaged in examining the accounts of two villages, in one of which there are balances of collections remaining in the hands of the Patells and Koolkurnees since the year 1838. Against one of these Patells there is a sum of one thousand rupees. Where these appropriations appear to have been made in a very decidedly fraudulent manner, I try the offenders under the provisions of Regulation XVI. Section XI. Generally speaking, however, I merely call on the parties to refund as directed in Section XIV. of this Regulation; all whom I have yet had occasion to punish under the former Regulation have appealed either to the Sudder Adawlut, or to the Judicial visiting Commissioner: the result of their appeals I have not yet heard.

" 17. I have to my utmost opposed the system so prevalent of making the Marwarrees, Soucars, and other money-changers the medium through which the collections are made. The system is, however, very much favored by our Talooka and village authorities, and I have little idea that any orders on this subject will be attended to where they oppose the inclinations and interests of so many, unless they are for a long time steadily enforced. It would be superfluous for me to enlarge on the evils of a system which throws the Ryuts on the mercy of the Marwarrees—which tends to render the system of accounts complicated—which places the receipt of the Revenues in the hands of a class of people not Government servants, and who have themselves a direct interest in retaining money collected, and to whom it is generally very difficult to trace this money by any proof that could be admitted in our Courts of Justice."

Extract of a Government Letter No. 1562, *to the Revenue Commissioner, dated the* 18*th May* 1833.

" Para. 5. Mr. Townsend certainly acted very judiciously in discouraging the interference of the Marwarrees and Soucars in the concerns of the Revenue; but as long as the Ryuts are poor, and without the immediate command of funds, independent of their grain, it is not to be expected that the system can be overthrown.

In the existing circumstances of the country, the facility with which the Ryut can procure the necessary advance for the payment of the Revenue on the security of his crop, is doubtless of benefit to Government, as it renders unnecessary recourse to the attachment of crops, in the disposal of which much loss must be sustained by both the Ryuts and the State.

"6. In the 16th para. of his letter Mr. Townsend states, that the Ryuts frequently obtain receipts from the Koolkurnees on the verbal security of the Soucar, and before the money is received from him. This should, in all cases, be strictly prohibited, otherwise, as the entry in the Rozkeerd (Day-book) is made only on receipt of the money, which may occur at different periods, endless confusion would be the result, and no correspondence would even be traceable between the books of the Koolkurnees and the receipts in possession of the Ryut."

Extract paras. 6 *to* 8 *of Revenue Commissioner's Letter to the Collector of Ahmednuggur, No.* 273, *dated* 16*th February* 1835.

"Para. 6. The system of taking Mâl-Zâmeen appears to be carried to an extent in your District, that must at once tend to the impoverishment of the people and to the injury of the Public Revenue.

"7. The enforcement of the practice seems to be left in a great measure to the discretion of the Cutcherry and village officers; and this perhaps is its worst feature, inasmuch as it enables them to adopt at pleasure, under the plausible plea of securing the Revenue, arbitrary and partial measures towards the Ryuts. Sometimes a Soucar or Patell becomes a security to Government for the whole village, which gives him the power (through the agency of the village officers) of preventing the Ryuts removing their crops until they have given him security (for which they have to pay heavily), or otherwise satisfy him. In other cases Hawuldars or sepoys are deputed by the Mamlutdar to the villages where they stand guard over the produce, not allowing the Ryuts to remove it, till they have paid their rent, or given security for it. In one instance inquired into by my Assistant, it appeared that the cultivators were actually prevented cutting their crops (which the rats were destroying) till they gave security. I am sorry to find that the "Hàwàlà" system still exists in great force in your District, and that though the expediency of discouraging it has often been enjoined on your predecessors, I cannot discover that any decisive measures have yet been taken for that purpose.

"8. Mâl-Zâmeen being a profitable system to a number of influential parties, and one under which the collection of the Revenue is rendered easy to our Native servants, it will be continued as stated in my letter dated 20th November last, long after its necessity ceases, without extreme 'vigilance.' Inveterate as the evil has become, it perhaps may be impracticable to abolish it completely at once; but that end should be kept steadily in view. In villages where the Ryuts had been punctual in their payments, no security whatever might be demanded, except perhaps 'Sànklee-Zâmeen' (security for one another), so regulated as to put them to no

expense, or afford the District Officers any pretexts for throwing them into the clutches of an arbitrary Patell or usurious Marwarree. The Revenue will be in little danger if the District Officers are active, and take care that the Ryuts pay their rents regularly as they sell their crops. A similar practice, bearing the same name, prevailed in the upper Provinces, and the evils attributed to it by the Governor General are so similar to those of which it is productive here, and which must attend it wherever it obtains, that I am induced to make the following quotations from His Lordship's minute on the subject:—'The demand, from engaging proprietors, of Mâl Zâmeen, or security for the payment of the Jumma of Government, is, I conceive, a tax upon the land Revenue which, both the nature and the value of the landed property would enable us to dispense with: no one will be security without his equivalent; and whatever may be the rate of this equivalent,* it will be considered in the terms offered to Government. * * The Mâl-Zâmeen, when not a fellow-proprietor, will be an intriguing Bunya,† who receives five‡ per cent as a consideration, and accepts the responsibility merely in the hopes that arrears may induce further application to him so as to strengthen their interest he has acquired in the land. * * The land, I should now conceive, will be sufficient security for itself.'"

Extract paras. 3 *to* 6 *of Revenue Commissioner's Letter to Government, No.* 712, *dated the 7th May* 1835.

"Para. 3. I trust that the Right Honorable the Governor in Council will approve of the views I have expressed in paras. 6 to 9, relative to Mâl-Zâmeen, or security taken from the Ryuts, with the view of facilitating the realization of the Revenue, but which is very liable to be converted into an instrument of abuse injuriously affecting the public resources. For this security the Ryuts, highly assessed under the regular land tax, have often to bear an additional burden of twenty and twenty-four per cent. interest.§

"4. The practice being interwoven with the system, and a rich source of profit to the more influential classes of the Native community, the mere issue of prohibitory orders by the Collector to his Native Deputies would, I apprehend, be of small avail: neither do I think that the practice, on account of its very inveteracy, should be abruptly suppressed or completely prohibited; I would confine it to cases where special reasons clearly dictated its expediency, each such case being decided upon by the Covenanted Servants in person, and when they considered the demand requisite, they should record the grounds of their opinion.

"5. Whatever our Native Officers may say, I have myself no apprehension of any risk to the Revenue from discontinuing Mâl-Zâmeen as a general system.

* In the Deccan this equivalent is exorbitant.

† The same tribe are constantly the Securities in these provinces.

‡ Here the rate is much higher.

§ I do not, of course, allude to the kind of "Mâl-Zâmeen" which the Ryuts give for each other; since, if properly regulated, it should put them to no expense.

Let the Khists be collected punctually as they fall due, prevent arrears accumulating on frivolous pretexts, and let not the rents be higher than can be easily paid out of the produce, and I doubt not, but we shall find the collection coming in as regularly, if not, more regularly than before. A system which tempts the avaricious grain-dealers and money-lenders to give their aid in under-estimating the crops, and promoting sweeping annual remissions in order that increased means may be left the Ryuts to pay their exorbitant interest, charges, &c., must, in the long run, be as prejudicial to the interests of Government, as it is to those of its subjects.

"6. With Government's approbation, I propose to circulate this correspondence among the different Collectors, and to request them not to demand Mâl-Zâmeen except under the circumstances indicated above."

No. 1190 of 1835.

Territorial Department—Revenue.

To the REVENUE COMMISSIONER.

SIR,—I am directed to acknowledge the receipt of your letter, No. 712, dated the 7th instant, submitting copy of one addressed by you, on the occasion of your late visit to the Ahmednuggur Districts, to the Collector on several subjects connected with their revenue management, and to acquaint you that the Right Honorable the Governor in Council considers your remarks extremely judicious, and approves of your intention to circulate them among the Collectors, and to direct their officers to refrain from demanding Mâl-Zâmeen, except in cases in which the non-enforcement of the practice would endanger the realization of the revenue.

I have, &c.,

Bombay Castle,
28th May 1835.

C. NORRIS,
Chief Secretary to Government.

Extract of a Letter from the Collector of Ahmednuggur, dated 30th October 1834, No. 2030, to the Revenue Commissioner.

"Para. 77. The measures which have been adopted for checking the Hàwàlà system have been laid at different times before you, I have instructed my Assistants at every village at which they may halt always to read the order to all the assembled villagers, and to explain it to them, and vigilantly to see that those orders are not disobeyed by the Koolkurnees and Patells. I invariably myself read the order wherever I am stationed, and let no opportunity pass of explaining it to the Ryuts, and pointing out to them the evils of the system and its ruinous results; but I suspect it is still secretly adhered to, and time and mental improvement on the part of the Ryuts can alone altogether check it."

Extract of a Letter from the Revenue Commissioner, dated 30th April 1835, No. 682, to Government.

"Para. 19. I am sorry to say that the inquiries I lately made in the Kurmulla Talooka satisfy me that the Hàwàlà system (alluded to in the 77th para.), on the evils of which

Hàwàlà system.

so much has been written, is still very prevalent in the Nuggur Districts. Every exertion should be made to suppress it, and to collect the Revenue direct from the Ryuts' own hands. Under the Hàwàlà system the Marwarees and the other usurious money dealers, who swarm in the country, thrive at the expense of the Ryuts, and of the resources on which the public Revenue depends. An explanation of the delay and difficulty which have occurred in checking Hàwàlà, is, I believe to be discovered in the profit it is to a great number of influential monied men; and nothing but the resolute exertions of our European Officers, steadily persevered in, will effectually check it."

Extract of a Government Letter to the Revenue Commissioner, dated 7th September 1835, No. 2052.

"Para. 34. In reference to the 19th para. I am directed to request that you will instruct the Collector to persevere in carrying into effect the Government order of 18th May 1833,* directing the abolition of the Hâwàlà system, so objectionable and injurious to the interest of the Ryuts."

Extract of a Letter from the Revenue Commissioner, dated 7th January 1842, No. 51, to Government.

"Para. 5. I have not thought it necessary to translate the orders referred to in Mr. Harrison's 5th para., as they are generally the same in tenor as those which he and his predecessors have from time to time received from Government and this Department: they are sufficiently clear in condemning a system such as was found to exist in the case in question. I cannot find that adequate measures were adopted to ensure the orders being strictly acted up to; but this by no means exonerates the Mamlutdar from blame for his disobedience, of which I am, therefore, decidedly of opinion, severe notice should be taken.

"6. The same observations will apply to the late Mamlutdar (Bulwant Rao Mahadeo, now Acting Mamlutdar of Parneir), in whose time the system in question was, it appears, openly countenanced. His explanation, which is, as Mr. Harrison observes, not by any means satisfactory, is chiefly to the effect that the course followed was only adopted at this *one* village where it was rendered necessary by dissensions among the Patells. As he does not deny his knowledge of the system, he also should, I am of opinion, be punished by removal to an inferior situation. With regard to the system having been confined to this single village, I may remark that there is nothing to show that such was the case. Time admitted of only this one village in the Talooka being visited by my establishment, but there was nothing to show that any of the practices noticed were peculiar to it; and, with respect to the number of Mohsuls sent, and the mode of sending them, the reverse was the case.

Vide para. 7 of my letter to the Collector, No. 640, of May 13th.

Vide his last para.

Vide para. 8 of my first letter to the Collector.

* See page 686.

Extract of a Letter from the Revenue Commissioner, dated the 13th May 1841, No. 640, to the Collector of Nuggur.

"Para. 5. But the most objectionable feature in the management of this village is the extent to which the Hàwàlà of Soucars has been required. It appears that during the last year, fifteen cultivators, and during the present seventeen, were required to furnish the security of a Soucar of Nuggur, named Kustoorchund Achechund. The system is stated to have been this:—On Kustoorchund becoming security, the Ryuts signed a bond, (when the amount required it on stamped paper, the cost of course falling on the Ryut,) agreeing to pay the amount of Revenue, for which Kustoorchund stood surety, in two months, or, in some cases, a rather longer period, with 11½ *and* 12½ *per cent.* on the sum assured, and in the event of any balance remaining unliquidated at the end of the two months, it was to bear interest at the rate of from 24 *to* 30 *per cent.* per annum, with the additional expenses of fresh bonds, where necessary on stamped paper—the Ryuts crops being all the while mortgaged, and, by the terms of the bond, to be reaped, threshed, and sold only at the will of the Soucar.

"6. This course does not appear, however, to have added to the security, or expedited the realization, of the Government Revenue; as in most instances, the Soucar seems to have collected the whole, interest &c., included, while he seldom seems to have paid any thing to Government on account of the Revenue due, till he had received at least the greater part of it from the Ryuts.

"7. It is manifest that with such additions no assessment can be otherwise than oppressive; and directly opposed as the practice is to the repeated and positive orders of Government, the Mamlutdar and his Karkoons appear to deserve severe punishment for not bringing to your notice a practice of the existence of which they *must* have become aware in examining the accounts which bear their signatures as having been compared with the Ryuts' statements, and found correct, and which practice the Koolkurnee and Soucar you will perceive declare, was, till the present year, regularly carried on under the Mamlutdar's own superintendence, and this year with the sanction of one "Bowanee Shunkur Shaikdar," a Karkoon apparently of the Mamlutdar's. No excuse for demanding Soucar's security appears to have existed in the present instance, as the Ryuts are stated to be mostly Meerasdars, some of them of the Patell's family, and none of them likely to have failed in paying the Government Revenue had the ordinary precautions for its realization been adopted. You will observe that when the Village Officers were asked the reason of their breach of the well known Government orders regarding Hàwàlà, they excused their conduct by stating they only required "Jumma."

Extract of a Letter from the Collector of Ahmednuggur, dated 31st July 1841, No. 651, to the Revenue Commissioner.

"Para. 4. Regarding the extent to which the Hàwàlà of Soucars has been required in the village of Nallegaum, the practice has been forbidden over and over

again, in the strongest possible terms, and the same observation applies to the practice of sending Mohsul Sepoys in the manner that was done into this village: as therefore the Mamlutdar has chosen to disregard these repeated orders, I would beg leave to recommend he be dismissed the service.

"5. In order that you may be able to judge clearly of the extent of the Mamlutdar's inattention to his duty, I beg leave to transmit copies of the several Circular Orders which have been issued in this Collectorate, with the view of putting down the practice of Hàwàlà, as well as the last order (many others previously having been sent by my predecessors,) which was issued by myself respecting the indiscriminate practice of sending Mohsuls, which was, as you will perceive, meant to put a stop to *the present particular mode of employing these functionaries*, which it pleased the Mamlutdar to adopt in Nallegaum.

"6. A copy of a report from the late Mamlutdar of Nuggur, explaining his reasons for requiring Hàwàlà of the Ryuts of this village when he had charge of the Nuggur Talooka, is forwarded for your information; but it is not in my opinion by any means satisfactory. I may remark, however, that it does not appear that the practice was followed in any other village of the Talooka under the Mamlutdar's charge."

Extract of a Letter from the Revenue Commissioner, dated 29th December 1841, *No.* 1798, *to the Collector of Nuggur.*

"Para. 9. With regard to the manner in which Hàwàlà has been required in this village, and to the generally most oppressive system of making the collections, the orders you forward show that the Mamlutdar did not connive at such proceedings, without a full knowledge of their being utterly opposed to the wishes and repeated and positive orders of Government; but this does not at all account for the fact of the impunity with which those orders had been contravened; and the absence of any adequate arrangements on the part of the Collector's establishment, for seeing that the orders given were properly obeyed."

Extract of a Letter from Mr. Vibart, Revenue Commissioner, dated 26th February 1842, *No.* 323, *to Government.*

"Para. 15. On this point also it appeared to me that little appeared to have been attempted to correct the evils of the system which were pointed out to the Collector by my predecessor, in February 1835;* and his present explanation of what has been done, seems to me far from satisfactory. The orders of which he forwards copies, are very well as far as they go; but I do not gather that any particular measures were taken to see them enforced. As regards Hàwàlà, which the Collector seems almost inclined to believe does not exist any longer as a common practice, my impressions differ very considerably from those of Mr. Harrison, and I lately submitted to Government the details of

Vide para. 5 of my letter to the Collector, and para. 2 of his reply.

Vide my letter No. 51 of the 7th January.

* See page 687.

some inquiries regarding a village close to Nuggur, which showed that a system of requiring Soucars' Hàwàlà had there existed with the sanction apparently of the Mamlutdar, for a considerable time back; and that it was marked by characteristics of a far more than usually objectionable nature, and there was much to show that the practice, which must have been most ruinous to the cultivators, adding from *seven and a half* to *thirty* per cent to the Government assessment, was by no means confined to that one locality. The same may be said of the practice of sending several Mohsul Sepoys, as a general charge on the village at large,—on those who paid as well as on those who withheld payment of their Revenue. The letters referred to in the margin of para. 5 to my letter to the Collector will show how frequently and particularly the Collector's attention was called to such points."

Extract of a Letter from Mr. Vibart, Revenue Commissioner, dated 7th June 1841, *No.* 721, *to the Collector of Ahmednuggur.*

"Para. 5. The means adopted for the collection of the Revenue appeared to me remarkable for their rigour and tendency to secure the current Revenue at the risk of throwing the Ryuts into the hands of Soucars, the same circumstance appears to have struck my predecessor; and here again the observations on this branch of Revenue management contained in his letter of February 16th 1835,* paras. 6 and 8, seemed to me equally applicable to the state of things as I saw them. I request, therefore, that you will state what steps were taken to give effect to his instructions and suggestions, as contained in the letter just quoted, and in other communications, the dates of some of which are noted in the margin, and for reforming the system which he reprobated. In this case also I request that you will forward copies of your orders on the subject to your Assistants and Mamlutdars."

Mode of collecting the Revenue.

Government letter of 18th May 1833, No. 1562.
Revenue Commissioner's letter of 25th November 1834, No. 3330.
Do. of 2nd October 1835, No. 1589, and para. 19 of the letter from the Revenue Commissioner to Government, No. 682, of A. D. 1834-35, and para. 34 of Government reply, which accompanied it, No. 2052, of September 7th, 1835.

Extract of a Letter from the Collector of Ahmednuggur, No. 861, *to Mr. Vibart, Revenue Commissioner, dated* 17*th September* 1841.

"Para. 2. Respecting the mode of collecting the Revenue, more especially as regards the Hàwàlà system, I have the honor to transmit orders, which have been circulated for putting it down, and beg leave to state, that it appears at the present period to be by no means common; indeed were I to place implicit confidence on the accounts which have reached me from my Assistants and Mamlutdars, I might say it does not exist. As long, however, (as Mr. Secretary Reid observed in his letter to your predecessor) as the Ryuts are poor, and without the immediate command of funds independent of their grain, it is not to be expected that the system can be entirely overthrown.

* See page 687.

Extract of a Letter from Mr. Simson, Revenue Commissioner, dated 28th May 1842, No. 759, to Government.

" Para. 12. As regards the mode of collecting the Revenue, the Collector starts by assuming that my predecessor never discovered more than a single case of Hàwàlà, and as the impression runs through his remarks, I endeavoured to ascertain from Mr. Frere whether Mr. Vibart had not met with any others. The following is Mr. Frere's reply :—

Mode of collecting the Revenue. Paras. 11 and 14.

" From 1838-39 to 1841-42, Mr. Vibart forwarded thirty-two Yads to the Collector, regarding the state of the Village Accounts. The existence of Hàwàlà is *expressly* pointed out in only five of that number, but it might be inferred from a perusal of many more, and was on several occasions observed by the Karkoons examining the accounts, but not noticed even incidentally in the Yads, from the cases not being aggravated, or from there being other points more particularly requiring remark. In some of the Yads in which Hàwàlà *was* expressly mentioned, it was further pointed out that the Village Officers had admitted its existence ; and when asked why they entered, as paid by the Ryuts themselves, sums which had been paid by Soucars, they pleaded the necessity, in consequence of the orders against taking Hàwàlà, *for keeping Hàwàlà transactions* out of sight."

"As regards Mr. Harrison's observations, to the effect that Hàwàlà is now of rare occurrence, I would observe, that it was formerly regularly required by the Government Officers, and easily traceable in the Government accounts, and that its existence is certainly now scarcely observable on the face of those accounts, and would probably be at first denied by many of our Native Officials ; but as far as my observation has gone, I should say it was still of any thing but rare occurrence in practice. There may be some ambiguity as to what constitutes Hàwàlà ; but I would instance such transactions as the following :—A Ryut is required to pay his Revenue, and has not the means at hand. A Soucar is applied to, and he becomes security for the amount, and from that date often charges the Ryut with interest, though he may not be called on to pay anything on the Ryut's account for some time ; and, occasionally even receives from the Ryuts money or produce sufficient to cover the advance before he makes it. In this and various other ways, the Soucar becomes to a greater or less extent surety for the cultivator, and pays his Revenue, charging for such assurance and agency a rate of premium distinct from what he would charge as *interest* for money actually advanced on the Ryuts' account. The extent to which this system is carried may vary, and it may pass under various names, such as ' Nisha,' ' Jumma' &c., but the transactions are similar in nature, and the same objections apply to all, viz., that the arrangements for paying the Revenue are made through the money-lender, and not directly with the cultivator ; while the latter is often subjected to an additional charge, not for

money actually *paid* on his account, but for the assurance which the Soucar gives, that he will pay if the Ryut fail to do so. Such assurance is, I imagine, what Mr. Vibart meant by Hàwàlà; and I believe that an examination of how the Ryuts had paid their Revenue would show that such Hàwàlà had been very commonly taken by the village Officers, in most Districts, within the last two or three seasons. The village Officers would, of course, if asked, deny that they had demanded it, and the *District* Native Officers *might* perhaps be really not cognizant of it; but they could hardly, I should think, fail to observe many such cases, if they thoroughly examined the Village Accounts.

" 13. The Collectors account (in paras. 11 and 12), of the late Revenue Commissioner's observations, appear hardly fair. My predecessor referred to remarks of Mr. Williamson's regarding the mode of collecting the Revenue, which he stated seemed to him equally applicable to the Districts as they appeared to himself, and applied *for information as to what had been done;* that furnished by the Collector he did not think so satisfactory, or detailed, as he had a right to expect: whether he was justified in thinking so Government can judge for themselves, from the correspondence before them. It would not appear from what has been stated above, that the Collector was borne out in assuming that the late Revenue Commissioner had only observed one case of Hàwàlà, and it is evident from what my predecessor said, that his remarks had reference, not to Hàwàlà alone, but also to the other objectionable practices connected with the realization of the Revenues alluded to in his letter to Government.

" 14. From the commencement of para. 2nd of his first letter, it was natural to suppose that the Collector's remarks were intended to apply to what my predecessor had said regarding *all* these irregular and unauthorized modes of collecting the Revenue. He now admits the prevalence of one most objectionable system, of sending Mohsuls,—and it is hardly to be wondered at that the late Revenue Commissioner, bearing in mind that he had brought to the Collector's notice the very practice in question, should have been dissatisfied with the vague and general tenor of the Collector's remarks, which seem to imply a belief that all that required correction had been corrected. The Collector points out, in his present letter, that he had forwarded a copy of an order, prohibiting such a use of Mohsuls; this very circumstance appears to me to be one which would have confirmed my predecessor in the view he had taken. He knew from his own recent observations, that the orders in question had not been properly enforced, and that the practice reprobated still prevailed. He had requested the Collector to furnish detailed information, which that officer omitted to do; and I own I cannot see what course was open to him other than that which he adopted, of stating his impressions to Government.

No. 861 of the 17th of September last.

Vide para. 13 of his present letter.

Vide para. 2 of his letter of the 17th September.

Vide para. 13.

"15. The Collector observes that the late Revenue Commissioner was under misapprehension when he failed to discover that due measures had been taken to put a stop to such objectionable practices. This appears to be assuming the point in question; but admitting the case to be as stated by the Collector, it appears to me he has himself caused the misapprehension. My predecessor applied specially for information as to *what* measures had been taken, and got little or none, beyond copies of some Maratha orders,—and an intimation that the Collector believed the exaction of Hàwàlà was of rare occurrence just after he had been told by the Revenue Commissioner that the result of *his* observations was the direct opposite."

Vide para. 6 of his first letter to the Collector.

Extract of a Letter from the Collector of Ahmednuggur, dated 29th March 1842, *No.* 247, *to the Revenue Commissioner.*

"Para. 11. Your predecessor proceeds to offer some remarks on the mode of collecting the Revenue; and having, in the course of his several official tours through this Collectorate, during the three years he was Revenue Commissioner, discovered a single case of Hàwàlà, the peculiar circumstances regarding which were detailed in my letter to you of the 16th instant, and its enclosure, he proceeds to express his belief that the practice is still common in the Collectorate,—making use of the argument that there was nothing to show that it was not. To such a mode of reasoning there is no reply, used as it is by your predecessor after I had distinctly stated my belief that the practice was by no means common, founded on my own observations, and the information I had received from the Sub-Collector of Nassick, my Assistants, and Native Officers.

Para. 5.

Vide para. 6 of his letter to Government, dated 7th January 1842.*

Extract from the Collector's letter to the Revenue Commissioner, dated 17th September 1841:—

"Para. 2. Respecting the mode of collecting the Revenue, more especially as regards the Hàwàlà system, I have the honor to transmit orders which have been circulated for putting it down, and beg leave to state that it appears at the present period to be by no means common; indeed were I to place implicit confidence on the accounts which have reached me from my Assistants and Mamlutdars, I might say it does not exist; as long however (as Mr. Secretary Reid observed in his letter to your predecessor) 'as the Ryuts are poor and without the immediate command of Funds, independent of their grain, it is not to be expected that the system can be entirely overthrown.'"

"12. Had your predecessor discovered several instances of the Hàwàlà system, deeply rooted as it was originally in the management of the Revenue, it would have excited in my mind no surprise; nor should I have deemed it as any instance of mismanagement or neglect on the part of the European Assistant within whose charge such discovery had been made,—the wonder being *not* that such instances should sometimes occur, but that the system has been so nearly eradicated,—a result which could only have been produced by unceasing watchfulness on the part of the Revenue Officers, by constantly repeating orders forbidding the system, and by

* See page 690.

seeing personally that these orders were carried into effect, measures which your predecessor cannot discover had been taken, though on this, as on several other points, he is under considerable misapprehension."

Extract of Government Letter to Mr. Simson, Revenue Commissioner, dated 8th October 1842, No. 2870.

"Para. 17. In respect to the first of these Mr. Harrison lays* much stress on Mr. Vibart's having discovered only a single case of Hàwàlà during his several tours. The incorrectness of Mr. Harrison's information on this point is clearly shown in the 12th para. of your letter No. 759, of 28th May, and Mr. Frere's memorandum there inserted, the Governor in Council is of opinion, fully justifies Mr. Vibart's belief of the existence of the practice more generally. Because its existence was not apparent on the face of the accounts, and because written orders had been issued against it, it by no means follows that it did not prevail. In the case of the village of Nallegaum (reported in Mr. Vibart's letter to Government, of the 7th January last, No. 51,†) the Collector rested greatly on his having often and steadily prohibited the practice, and on that occasion he was informed that Government held the issue of orders to be quite insufficient, unless means were taken to ensure their being attended to. Until this instance was brought to his notice, Mr. Harrison no doubt was as ignorant of the existence of Hàwàlà there, as in any other village of his charge; and instead of founding upon this discovery an argument against the existence of the practice elsewhere, he ought rather to have doubted the security in which he rested in believing the total abolition of the practice.

* Vide para. 11 of his letter, No. 247, of 29th March 1842, accompanying the Revenue Commissioner's No. 759, of 28th May 1842.

"18. In his letter of the 7th June 1841, to the Collector, Mr. Vibart expressed his belief of the Hàwàlà system still prevailing. In his reply of the 17th September, No. 861‡, Mr. Harrison by no means gave that information on the subject, which Mr. Vibart had demanded. He seems on this, as on other occasions, to have been content to report, that orders had been issued. The indifference displayed in this reply tends to confirm the impression noticed in para. 15 of this letter of the character of Mr. Harrison's administration.

MAMLUTDARS.—Directing that the designation of Mamlutdar be used instead of Kamavisdar.

Circular.

No. 1826 of 1839.

Territorial Department—Revenue.

To all the Collectors.

Sir,—Under instructions from Government, dated the 12th instant, I have the honor to request you will have the goodness to use, in future, the designation

† See page 690. ‡ See page 693.

"Mamlutdar" in all public documents, and on every occasion when you may have to address, officially, or allude to, your Head Native Revenue Officers of Districts. It is considered more respectable than any of the other appellations variously used in different Zillahs; and Government deems its general adoption expedient for the sake of uniformity.

I have, &c.,
J. VIBART,
Revenue Commissioner.

Rev. Com.'s Office, Poona,
21st October 1839.

MAMLUTDARS.—All appointments of —— to be confirmed by the Revenue Commissioner. *See Government Circular, No.* 3237 *of* 1838, *under* "Establishment."

MAMLUTDARS.—Form of Statement for reporting the Appointment or Promotion of —— for confirmation. *See Revenue Commissioner's Circular of 7th September* 1838, *under* "Appointments."

MAMLUTDARS.—Appointments or Promotions of —— to be reported for announcement in the "Government Gazette." *See Revenue Commissioner's Circular of 4th June* 1832, *under* "Appointments."

MAMLUTDARS.—All new Appointments of —— to be Probationary for one year. *See Extract from the Revenue Commissioner's Joint Report, No.* 1 *of* 16*th October* 1845, *under* "Public Officers."

MAMLUTDARS.—Rules requiring Native Officers serving in the Belgaum and Dharwar Collectorates, to pass in the Canarese language. *See the Rules given under* "Public Officers," *as having been forwarded to the Collectors on* 23*rd April* 1845, *No.* 562.

MAMLUTDARS.—All transfers and promotions of —— to be reported to the Revenue Commissioner.

Extract para. 1, *of a Letter No.* 1648, *dated* 19*th July* 1847, *from the Revenue Commissioner, S. D., to the Collector of Darwar.*

"Para. 1. I have the honor to acknowledge receipt of your letter, dated 12th ultimo, No. 911, and, with reference to the 1st para., to observe that, when the removal of a "Mamlutdar" from one District to another does not affect his pay, I do not think that the sanction of this Department is necessary; though, for various reasons, I should be glad to be advised of such removals, when change of place causes increase or decrease of salary. I consider that, in accordance with the *spirit* of the Government orders, dated 30th August 1838, No. 3237*, reference to this Department is necessary; and as all these appointments are, under the orders of 28th November 1845†, probationary for one year, the above remarks will apply to acting, as well as to permanent, appointments."

* See page 394.

† For these orders see under "*Public Officers.*"

MAMLUTDARS.—In reporting Appointments, Transfers, Promotions, or Reductions of ——, the "Class" and "Salary" of the present and proposed situations to be stated in the margin. *See Revenue Commissioner's Circular, No.* 1491 *of* 1849, *under* "Establishment."

MAMLUTDARS.—Form of Report to be sent in by Collectors and Assistants when recommending the confirmation of —— in situations in which they have served their year's probation.

No. 3383 of 1853.

Territorial Department—Revenue.

To H. E. Goldsmid, Esq., Secretary to Government.

Sir,—With reference to the 4th para. of my letter to Government, dated the 9th instant, No. 2834, replied to in their Resolution of the 17th instant, No. 7300, I have the honor to submit a sample Sketch of a Report such as should, and can, without any difficulty, I am respectfully of opinion, be furnished in all cases of Mamlutdars being recommended for confirmation.

2. This sketch, it will be observed, notices all the more important duties which it is probable those Officers may be called upon to discharge. My Records however showed that the recommendations of Collectors and their Assistants, on occasions like those alluded to, have always been of the most general character. From probationary Mamlutdars having creditably served as Mahalkurrees, or it may be Chitneeses, it may be rightly argued that they will prove active and efficient in their new and higher appointments; but if the character of their former service is to be conclusive of their fitness for their new situations, and if this Department is to sanction all *general* recommendations of the Collectors, there can be little use in subjecting Mamlutdars to a probationary year, and their confirmation by the Revenue Commissioner must continue to be, what it now is, a matter of mere form.

3. It may be that, as regards their Kutcherry Accounts and Registers, as in the case of Raghoo Gopall, now Mamlutdar of Mawul, the probationary Mamlutdars are found most attentive by their European superiors, who thence conclude they are deserving of confirmation in their situations. But, I need scarcely point out, that a probationary Mamlutdar may be very nice about the state of his *own* accounts, but perfectly indifferent about, and ignorant of, that of all his Villages: he may be very particular about any single duty which, for the present, attracts much the attention of Government and of the Collector, but very regardless of other matters: he may be very anxious and even over-energetic to show a fair state of his collections, but most inert and careless in dealing with Petitions, the assortment and registry of his Records, and in all municipal and other matters tending to the general improvement of his District; and to confirm such an Officer in the responsible situation of Mamlutdar would, in my opinion, be any thing but conducive to the good of the Service.

4. With the view, therefore, of providing for a more full and specific report of the year's probation ordered by the Government letter No. 5593, of 28th November 1845,* and to procure for this Department satisfaction that recommendations are based on good grounds, I beg to submit the annexed sketch (to be, of course, modified as the circumstances of each case may require), and should the same be approved by His Lordship in Council, I purpose to circulate it among the Collectors of this Division as a guide for the future.

I have, &c.,

H. W. REEVES,

Ahmednuggur District, Rev. Com.'s Camp, Sungumnair, 26th December 1853.

Acting Revenue Commissioner S. D.

Form of Report in favor of a Probationary Mamlutdar's Confirmation.

No. —— of 185 —.

From A. B., First Assistant Collector,

To C. D., Collector of ——.

SIR,—Agreeably to the instructions of the Revenue Commissioner, received with your endorsement No. ——, dated the ——, I have the honor to report on the year's probation served by ——, under the orders of Government dated 28th November 1845.

Attention to the Survey Rules.

2. I am happy to be able to say that I have always found the probationary Mamlutdar zealous and diligent in enforcing observance of the Survey Rules.

His general Management of his Charge.

3. His Revenue administration has been generally good. This I state not only from a knowledge of his manner of doing business, derived from his Reports, but also from a personal and close inspection of eight of his villages, taken at random, where I received no complaints of consequence, and found the Accounts and Ryuts' receipts in good order and correct.

Attention to Village Accounts and Ryuts' Receipts.

Attention to the new Instalment Rules; &c.

4. He has several times reported the misconduct of the Patells of his District in neglecting to collect the Revenue instalments according to the orders of Government, and to accept the Ràzeenàmàs of cultivators who were anxious to diminish their holdings to an extent equal to their means.

Attention to Outstanding Balances.

5. In inquiring into Outstanding Balances also, he has shown great activity.

Attention to the State of Field Boundaries.

6. His supervision of the Boundary-marks of his charge has been satisfactory, —the prescribed inspections have been seasonably made. As I personally examined the Boundary-marks in seven villages of his Talooka, I am able to speak very confidently on this point.

* For these orders see under "*Public Officers.*"

7. I twice inspected his Records during the past season, and can testify to their being in a very good condition. Their assortment had been completed, and but a very small number of "Roomals" remained for registry. This latter work also has, I doubt not, been finished by the present date.

State of his Records.

8. He has been very regular in replying to all references; and has always evinced a laudable anxiety for the improvement of the country by his readiness to forward Petitions for the repair of Wells, Tanks, and other works of Irrigation, as also for the repair and construction of Roads.

Attention to Official References.

Interest taken in Public Works.

9. He appears to have devoted much of his attention to the important duty of watching the Abkaree Farms, and the sale of Spirituous Liquors in his Talooka.

Attention to the Abkaree Farms, and Sale of Liquor.

10. I may also add, that in his capacity of a Magistrate, this Officer does not perhaps show quite so well as he does in that of Superintendent of Revenue, for I have observed a want of method in him in dealing with judicial questions. He has, however, shown no want of boldness or energy in this Department.

Capacity as a Magisterial Officer.

11. Finally, as far as I am able to judge, he is a man of good character, and likely, by his conciliating deportment, to render the Government popular in the District now in his charge; and I therefore beg to recommend that he be confirmed in his appointment.

General Character.

A. B.
First Assistant Collector and Magistrate.

No. 235 of 1854.

Territorial Department—Revenue.

To the Acting Revenue Commissioner S. D.

Copy of the Resolution passed by Government, under date 12th January 1854, *on a Letter from the Acting Revenue Commissioner, Southern Division, dated the 26th December* 1853, *No.* 3383, *submitting for the approval of Government a sample Sketch of Report to be in future furnished by a Collector on recommending a Probationary Mamlutdar's confirmation.*

Mr. Reeves to be informed that Government authorize the Sketch Report being sent for the guidance of the Collectors of his Division.

2. Copy of the correspondence with Mr. Reeves to be sent to the Revenue Commissioner, Northern Division, for information.

H. E. Goldsmid,
Secretary to Government.

MAMLUTDARS not to be removed from their Situations on a *General* charge of Incapacity, &c.

Extract, being para. 1 of a Letter from Government to the Revenue Commissioner, dated the 28th November 1846, *No.* 3982.

"Para. 1. In acknowledging the receipt of your letter, dated the 29th August last, No. 1726, submitting a correspondence with the Collector of Poona, on the subject of an appeal from Govind Shamjee, Mamlutdar of Joonair, against an order addressed to him by the Dufturdar of Poona, recommending him to apply for his pension, I am directed to inform you, that the Honorable the Governor in Council concurs in the justness of the observations contained in your letter of the 28th August last, to the Collector of Poona, and is of opinion that a Mamlutdar ought not to be removed merely on a general charge of incapacity, without proof being adduced of the mismanagement which such incapacity could not fail to occasion."

MANGS.—Orders regarding the keeping of Accounts of all Lapses of Land or other Allowances enjoyed by ——, or otherwise appropriated to Police purposes. *See Government Letter of 22nd November* 1850, *No.* 8602, *under* "Land."

MANUSCRIPTS.—Ancient ——, or Copper-plate Inscriptions, Coins, and other small Vestiges of Antiquity, when found, to be forwarded to Government for the Honorable Court. *See Government Circular No.* 387 *of* 1851, *under* "Coins."

MAPS.—Mamlutdars, Mahalkurrees and Koolkurnees to be each furnished with Survey ——, immediately the New Rates have been introduced into Villages.

Extract, being part of paragraph 29 *of a Letter from Government, No.* 5189, *of 4th July* 1850, *reviewing the Nuggur Jummabundy Report for* 1847-48.

"Para. 29. * * The Collector's Office at Head Quarters, the Mamlutdars, or Mahalkurrees, and the Village Accountants should each of them be furnished with a copy of the Field Map and Register directly the Survey Rates are introduced; and, in event of any one of these copies being lost or destroyed, its place should be at once supplied. The Governor in Council is prepared to sanction the above number of copies of the Maps being multiplied by means of lithography, in the manner, and to the extent, which they are in the Southern Mahratta Country."

MAPS.—Survey —— to be preserved in Bamboo Tubes.

No. 1199 of 1852.

Territorial Department—Revenue.

From W. Courtney, Esq., Revenue Commissioner S. D.,

To H. E. Goldsmid, Esq., Secretary to Government.

Sir,—Adverting to the 30th para. of your letter, dated the 6th instant, No. 3154, reviewing the Ahmednuggur Annual Report for 1850-51, I have the honor to

* Letter No. 1180, of 14th May 1852.
† Letter No. 465, of 15th May 1852.

inform you, that I have ascertained from the Collectors of Poona* and Sholapore† that Survey Maps in those Districts are generally preserved in *Tin* cases.

2. Mr. Jones considers Tin cases "far preferable to Bamboo," though he does not state his reasons for so thinking. Mr. Loughnan, on the other hand, is in favor of the use of Bamboo tubes with stoppers, as they are cheaper, less liable to be dented, and can easily be replaced in villages where Tin is never procurable. I quite agree in these opinions; and with the permission of Government shall instruct the Collectors of Poona, Ahmednuggur, and Sholapore to direct, for the future, the use of Bamboo, instead of Tin cases, on the latter getting out of order.

I have, &c.,
W. COURTNEY,
Revenue Commissioner S. D.

Rev. Com.'s Camp, Nehr,
22nd May 1852.

No. 4326 of 1852.

Territorial Department—Revenue.

To the REVENUE COMMISSIONER S. D.

Copy of the Resolution passed by Government under date 25th June 1852, *on a Letter from the Revenue Commissioner S. D., No.* 1199, *dated 22nd May* 1852, *reporting that in the Collectorates of Poona and Sholapore, the Survey Maps are generally preserved in Tin Cases; recommending the use of Bamboo Tubes with stoppers in preference; and requesting permission to instruct the Collectors of Poona, Ahmednuggur, and Sholapore to use Bamboo instead of Tin Cases, on the latter getting out of order.*

Approved.—The Bamboos should, however, be steeped in a preparation to preserve them from ravages by insects. The ingredients of which the preparation used in the Southern Mahratta Country is composed, to be learnt from the Revenue Survey Commissioner.

A. MALET,
Chief Secretary to Government.

No. 200 of 1852.

"The Revenue Survey Commissioner has the honor to report that the Bamboo Map Cases used in the Southern Mahratta Country, are steeped in a solution of Blue Vitriol, or Sulphate of Copper (in Mahratta "Morchoot" मोरचूत, and obtainable in every Bazaar,) dissolved in water. The crystals of the sulphate are reduced to powder, and mixed with water, in the proportion of about one seer (of 20 Rupees' weight) of the former to one gallon of the latter. The Map Cases should be entirely

immersed in the liquid, and be kept so for three or four days, at the expiration of which they will be ready for use.

G. WINGATE,
Revenue Survey Commissioner.

Dharwar,
3rd July 1852.

MAPS.—Talooka and Village —— made saleable to Private Individuals.

No. 4599 of 1853.

Territorial Department—Revenue.

To the REVENUE COMMISSIONER S. D.

Copy of the Resolution passed by Government under date 8th August 1853, *on a Memorandum from the Revenue Survey Commissioner, No.* 451, *dated 25th July* 1853, *submitting a Letter from the Superintendent of the Ahmednuggur Revenue Survey, requesting to be informed whether there is any objection to his selling spare copies of the Talooka Maps, to any parties who may apply for them.*

Government quite concur with Captain Wingate. Instructions to give effect to his views to be issued to the several Survey Departments by him.

2. The Revenue Commissioners to be advised.

A. MALET,
Chief Secretary to Government.

No. 451 of 1853.

Submitted for the instructions of Government.

2. The Revenue Survey Commissioner is not aware of any objection to the course indicated by Captain Anderson; on the contrary, he thinks that important advantages might result from selling spare copies of both the Talooka and Village Maps to any parties who may apply for them.

Camp, Poona,
Dated 25th July 1853.

G. WINGATE,
Revenue Survey Commissioner.

No. 110 of 1853.

From Captain G. S. A. ANDERSON, Superintendent Revenue Survey and Assessment, Ahmednuggur,

To Captain G. WINGATE, Revenue Survey Commissioner.

SIR,—One of the American Missionaries at this Station having expressed a wish to be furnished with copies of the Survey Talooka Maps, I have the honor to request to be informed whether there is any objection to my supplying such copies of the Maps as can be conveniently spared to him, or any other person who may require them, on payment being made for the same.

I have, &c.,
G. S. A. ANDERSON,
Supt. Rev. Survey and Assessment.

Superintendent's Office,
Ahmednuggur, 22nd July 1853.

MEASURING-RODS AND CHAINS.—Each Talooka and Mahal Kutcherry to be supplied with ——.

Extract, being para. 5 of a Letter from the Superintendent of the Deccan Revenue Survey, to the Revenue Commissioner S. D., No. 239, dated 4th October 1845.

" Para. 5. It would, though, be a very good plan, I think, to furnish every Mamlutdar with several good Chains of 33 feet, for measuring acres, and with, at least, one Rod, 8 feet 3 inches long,—such as are used on this Survey,—for testing the Chains with. When necessary, these Rods might be tested again with a foot rule in the Collector's office."

No. 4945 of 1845.

Territorial Department—Revenue.

To D. A. Blane, Esq., Revenue Commissioner S. D.

Sir,—In acknowledging the receipt of your letter No. 1601, dated the 7th instant, with its several accompaniments, respecting the instruments for land measurements, required in the several Zillahs of your Division, I am directed to inform you, that the arrangements therein proposed appearing judicious, the Honorable the Governor in Council is pleased to sanction that a Rod and Chain, of the length suggested in para. 5 of the letter from the Superintendent of Revenue Survey and Assessment in the Deccan, be furnished to each District and Mahal Kutcherry, where the measurement in acres is in use, and no such standards have hitherto been provided. You are requested to report the expense of this measure.

I have, &c.,

E. H. Townsend,
Secretary to Government.

Bombay Castle,
23rd October 1845.

MEDICAL AID.—Orders regarding the supply of ——, on requisitions from Civil Authorities, during the prevalence of any Epidemic Disease.

Notification.

General Department.

The following Circular, issued by the Medical Board to the different Medical Officers, is published for general information :—

Circular.

The existing orders on the subject of Medical aid to be afforded on the appearance of epidemic Cholera in the Districts, having been misunderstood, it is directed that the local Civil Authorities are authorized to apply for assistance to the nearest Medical Officer, and that every Medical Officer, wherever situated, is expected, on any official requisition from those authorities, to exert his best endeavours to

supply such Medicines and Medical aid as are at his disposal, without injury to his immediate charge, reporting his proceedings, without delay, through the Superintending Surgeon to the Medical Board, and forwarding to the proper quarter Indents to replace the Stores thus emergently expended.

2. It is understood that Native Doctors (Hukeems) can be procured at most Stations, capable of administering, with benefit, Cholera medicines, if furnished with a few simple instructions; and Medical Officers, on receiving requisitions, are authorized to entertain the best qualified persons of that class, and supplying them with the requisite medicine to detach them wherever their services may be needed. The salary of these temporary servants to be fixed by the Surgeons hiring them, in communication with the authority on whose requisition they are entertained; and if not exceeding 20 rupees per mensem, to be promptly paid from the Collector's Treasury; if exceeding that amount, to be referred for the special sanction of Government.

3. Opium, Camphor, Spices, rectified Spirits, and other ordinary Cholera medicines, are at all times procurable for purchase on Contingent Bills, where no Commissariat Officer is present to supply them on Indent; and it will no doubt occur to public Officers, that when Hukeems, such as are adverted to in the preceding para., are not procurable, the Cholera remedies may be distributed through the medium of Village Patells, Karkoons, or even intelligent Peons and Hajams, who, under a few simple instructions, drawn up in the language of the Districts, would be able to administer them to the essential benefit of the rural population.

4. The Hospital Establishments of Regiments and Departments are never to be detached to any considerable distance from Head Quarters on these duties, save in cases of immediate and very urgent necessity, or where no other Medical aid can be obtained for hire for the special duty, and when detached they are invariably to be relieved as early as practicable.

By order of the Medical Board,
JAMES BURNES,
Secretary Medical Board.

By order of the Right Honorable the Governor in Council,
W. ESCOMBE,
Secretary to Government.

Bombay Castle,
20th May 1846.

MEDICINES.—The gratuitous issue of —— from the Government Dispensaries, to Covenanted and Uncovenanted Servants at the Presidency Towns of Calcutta, Madras, and Bombay, prohibited.

General Department.

Under instructions from the Government of India, the Right Honorable the Governor in Council is pleased to republish for general information the following Notification :—

Notification.

Fort William, Home Department, the 15th October 1852.

The Most Noble the Governor General of India in Council is pleased to direct the publication of the following extract, para. 7, of a despatch from the Honorable the Court of Directors, in the Financial Department, No. 14 of 1852, dated the 31st March.

"Para. 7. With reference to the opinions expressed by the Governor General, and by your Government, we have determined to withdraw the privilege from those of our Covenanted and Uncovenanted Servants who are stationed in Presidency Towns, and such other places as possess means of their own of being supplied with Medicines; reserving it, however, as at present, to all Officers residing at Up-Country or out-of-the-way stations, where no means exist for obtaining a supply independent of the Government; and we desire that you will take the proper means at once to define those places to which the privilege shall be continued."

In accordance with the foregoing orders, it is hereby notified for general information, that from and after the 1st January 1853, the gratuitous issue of Medicines from the Honorable Company's Dispensaries to servants of Government stationed in the Presidency Towns of Calcutta, Madras, and Bombay, will be discontinued. In all other places at present, Medicines will continue to be dispensed as heretofore.

By order of the Governor General in Council,
J. P. GRANT,
Secy. to the Government of India.

By order, &c.,
J. G. LUMSDEN,
Secretary to Government.

Bombay Castle,
10th November 1852.

MEERASDARS.—Rights of —— and Inamdars to cut down Trees. *See the Extract from the Government Letter No.* 390 *of* 1847, *under* "Trees."

MEERASDARS.—How far Applications from —— for Lands once relinquished by them, should be allowed preference over Applications from other parties.

No. 477 of 1851.

From T. C. LOUGHNAN, Esq., Acting Collector of Sholapoor,
To Captain WINGATE, Superintendent Revenue Survey S. M. C.

SIR,—I have the honor to request the favour of your letting me know which is, in your opinion, the correct course of procedure in the following cases, in which the application of Rule 2 of the Joint Report seems to be somewhat doubtful.

2. In the first case, a person in long possession throws up his land by Razeenama within the fixed period, and takes it up again in May, having thought better

of it. There are some valuable fruit-trees in the land. The Native authorities want to know whether they should only comply with the applicant's petition to be allowed again to take up the land on his agreeing to pay for its possession, together with the trees, at an upset price. I have ordered him meantime to be put in possession without purchase.

3. The second case is as follows :—A field, having valuable fruit-trees in it, and being Meerasee, was thrown up some years back, but subsequent to the Survey, by the Meerasdar, who was the occupant at the time of the Survey. Another Ryut, an "Oopree," makes an application for it, offering to pay the upset price that may be fixed on the trees, and the possession of the field. The Meerasdar then petitions to be allowed again to hold it, and the Mamlutdar is in doubt whether or not to give the preference to the Meerasdar, and, if so, with or without taking any price, or to let the first applicant have it.

4. Neither of these fields was waste at the time of the Survey; but the produce of the trees of the Meeras fields was sold on account of Government.

5. There are two questions involved in the present reference :—1st, Whether lands having valuable fruit or other trees in them, thrown up subsequent to the Survey, but having been under cultivation at the time of the Survey, should, on being applied for again by the same or other parties, be treated as described in the Rule above quoted or not;—2nd, Whether any preference should be given to a former holder, and whether, in this respect, any distinct course should be allowed where the land is Meerasee, and where it is Gutkoolee.

I have, &c.,
T. C. Loughnan,
Acting Collector.

Sholapoor, Col.'s Office,
28th June 1851.

No. 279 of 1851.

From Captain G. Wingate, Superintendent S. M. C. Survey,
To T. C. Loughnan, Esq., Acting Collector of Sholapoor.

Sir,—I have the honor to acknowledge the receipt of your letter No. 477, dated 28th ultimo, in which you submit for my opinion two cases, regarding which the application of Rule 2 of the Survey Code appears to you doubtful.

2. The first is that of a person who throws up a field with valuable fruit-trees in it by Razeenama within the fixed period, but applies for the field again in the following May, having thought better of it; and the question is, should he be placed in possession at once, or should he be first required to purchase the trees under Rule 2? The case appears to me to be one left to the discretion of the Collector, who might, I should say, under a strict interpretation of the Rule, cause the trees to be sold; but as Government sustained no loss by the field becoming waste, and the Ryut had been long in possession, this course would seem harsh and

unnecessary, and, I think, it would be, in every point of view, preferable to transfer the occupancy of the field to him without requiring him to purchase the trees.

3. The second case is that of a Meerasdar relinquishing his field containing valuable fruit-trees subsequent to the introduction of the Assessment, and, some years after, petitioning to be again placed in possession on occasion of another cultivator agreeing to take the field and pay a fair price for the trees and right of occupancy under the provisions of Rule 2. To which of these applicants should the field be given?

4. This also appears to me a case for the decision of the Collector, with reference to the character of the Meerasdar, and the circumstances under which he relinquished his field. The nature of the Meeras tenure, has never, that I am aware of, been authoritatively defined; but it is in my opinion most desirable that its privileges, whatever they may be, should be contingent on the punctual discharge of the Government assessment. I think it would be advantageous to confiscate the tenure in every case where a Meerasdar ceases to pay the assessment or relinquishes his land. In the case under consideration, I am of opinion that the Meerasdar has no right to re-possess his field without paying up, in the first instance, the arrears of assessment due on it for the years it may have lain waste; and, unless there are circumstances connected with his case calling for special consideration, I should not give his claim a preference over that of the other applicant, without requiring him to pay up these arrears. In event of his declining or being unable to do so, I think the field should be sold by auction under Rule 2, and entered in the name of the highest bidder.

5. I have given these opinions in compliance with your request, but I beg at the same time that you will consider them simply as my views of the point at issue, for I do not feel myself at all entitled to pronounce as to the proper application of the Rules; and I think it desirable, with the view of promoting uniformity in their administration throughout the surveyed Collectorates, that all doubtful cases should be referred for the instructions of the Revenue Commissioner or Government.

I have, &c.,

G. WINGATE,

Supt. Rev. Survey and Assessment S. M. C.

Dharwar, 15th July 1851.

No. 8460 of 1851.

Territorial Department—Revenue.

To E. G. FAWCETT, Esq., Revenue Commissioner S. D.

SIR,—I have been directed to acknowledge the receipt of your memorandum No. 2914, dated the 5th instant, at the foot of a letter* from the Acting Collector of Sholapoor, with accompaniments, and in reply to inform you that Government fully concur in Captain Wingate's views as regards the first case. They also concur as

* No. 555, of 22nd July 1851.

regards the second case, but would not do so if the Meerasdar and other Ryuts petitioned simultaneously, and, still less so, if the Meerasdar petitioned first.

I have, &c.,
H. E. GOLDSMID,
Secretary to Government.

Bombay Castle,
23rd August 1851.

MEERASDARS.—Relative to the expediency of fixing, by a Legal Enactment, the period within which a Meerasdar can claim restitution of his Lands.

No. 1763 of 1840.

Territorial Department—Revenue.

To J. VIBART, Esq., Revenue Commissioner.

SIR,—I am directed by the Honorable the Governor in Council to transmit, for any suggestions or observations which you may have to offer thereon, the accompanying extract, para. 30 of a letter from the Honorable the Court of Directors, dated the 26th February last, No. 1, regarding the expediency of fixing, by a Legal Enactment, the period within which a Meerasdar may claim the restitution of his Meeras land.

I have, &c.,
L. R. REID,
Chief Secretary.

Bombay Castle,
30th May 1840.

Extract of a Letter from the Honorable the Court of Directors, dated the 26th February 1840, *No.* 1.

" Para. 30. In para. 35 of our despatch, dated 30th August, No. 18, 1838, we suggested, that it might be desirable to fix some limit within which the claim of a Meerasdar to resume his Meeras should be asserted. It appears, however, to be the opinion of the Revenue Commissioner, that there will, in general, be no difficulty in adjusting such claims amicably; but as it is probable, from the increased value given to land in the Deccan by the reduction of the rates of assessment, that many Meerasdars who had deserted their lands will now find it their interest to reclaim them; you will be better enabled to judge of the extent of inconvenience which follows the assertion of this prescriptive right on the part of the Meerasdar, and whether it would be expedient to fix, by a Legal Enactment, the period within which it should be incumbent on him to exercise it."

28, and paras. 25 and 26 of letter dated 21st November (No. 38) 1838. Right of Meerasdars to resume their Lands granted on Lease to others during their Absence.

(True extract)
L. R. REID,
Chief Secretary to Government.

No. 3244 of 1842.

Territorial Department—Revenue.

To W. Simson, Esq., Revenue Commissioner.

Sir,—In reference to my letter No. 1763, dated the 30th May 1840, I am directed by the Honorable the Governor in Council to transmit, for any observations you may have to offer thereon, the accompanying extract (para. 89) of a letter from the Honorable the Court of Directors, dated the 23rd June 1841, No. 9, relative to the grant of Kowls to persons willing to repair old Wells on abandoned Meeras land.

I have, &c.,
L. R. Reid,
Chief Secretary.

Bombay Castle,
10th November 1842.

Extract of a Letter from the Honorable the Court of Directors, dated the 23rd June 1841, No. 9.

"Para. 89. The acknowledged right of the Meerasdar to resume the Meeras land after any period of non-occupation whatsoever, appears to be one of the most inconvenient incidents of that tenure; and we think, that so long as that right exists, it would be unsafe for Government to incur the hazard of involving itself in litigation, by granting Kowls of lands, of which the entire property is not vested in the State. The propriety of limiting, by Law, the time within which the Meerasdar should be required to assert his claims, on pain of having his right to re-entry on the land extinguished, has been suggested in para. 30 of our despatch, dated 26th February, No. 1 of 1840.*

41 to 44. Proposed grant of Kowls to persons willing to repair old wells on abandoned Meeras land.

(True extract)
L. R. Reid,
Chief Secretary to Government.

No. 1752 of 1842.

Territorial Department—Revenue.

To L. R. Reid, Esq., Chief Secretary to Government, Bombay.

Sir,—Adverting to the correspondence quoted in the margin, on the expediency of limiting, by Legal Enactment, the period within which a Meerasdar may claim restitution of his Meeras land; the hazard of incurring litigation by granting Kowls of lands—the entire property of which is not vested in the State,—and the advantages to be expected from creating new Meeras tenures, divested of an indefeasible lien upon the land unvoided by desertion, I beg to observe that the two latter points have already come under partial consideration and report by this Department.

Mr. Chief Secretary Reid's letter to Revenue Commissioner dated 30th May 1840, forwarding extract para. 30 from the Honorable Court's letter, dated 26th February 1840, No. 1.
Do. to do. of 10th November 1842, with extract para. 89 of a letter from the Honorable Court, dated 23rd June 1841, No. 9.

* See page 710.

2. A reference to my letter, dated 25th June 1842, No. 913, to your address, will show that the practice by the Civil Courts of annulling Kowls of Meeras lands had been confined entirely to the Sholapoor districts; and, in my subsequent address, dated 29th of the same month, No. 926, I submitted an opinion that grants of land in Meeras would be considered by the Natives as far more desirable than long Leases, and that the value of such grants would be little affected by stipulations in the deed, that abandonment for a given term would lead to forfeiture, and quitting possession, even for a single season, deprive the Grantee of all right to disturb the currency of any Lease in which the Officers of Government might assign such lands, when temporarily relinquished by the Meerasdar. The general question, also, underwent considerable discussion in the correspondence alluded to in the first of my letters just quoted between Mr. Williamson and yourself in 1838,—arising out of a proposition by the Revenue Officers of Poona for giving long deserted lands on Kowl for terms of years.

3. In regard to the remaining point to be considered, namely, the propriety of limiting by authority the now undefined privileges of the Meeras tenure, I beg to submit the reports received from the several Collectors upon the subject; and I would particularly request the attention of the Honorable the Governor in Council to the report of the late Sub-Collector of Nassick (Mr. Reeves), which seems to have received the assistance of Mr. Goldsmid also. This paper reviews the recorded opinions of several eminent persons on the nature of the tenure, and discusses very fully the variety of sentiment that appears to prevail, even among the highest authorities, as to the precise incidents attaching to Meeras. It shows the inconveniences to the State, and to individuals, of allowing any uncertainty to remain as to the circumstances under which a Meerasdar can oust a cultivating tenant, and how the possible interference of the Civil Courts may operate to keep Meeras land unoccupied, uncared for, and unimproved. These inconveniences are shown to attach to Meeras ground in Towns also, as well as to arable land. Mr. Rose, the Assistant Collector in charge of the Jooneer District, states that the impossibility of securing a perfect title to waste grounds in the Jooneer Town (owing to dormant Meeras claims) has prevented the building of many houses there by mercantile people of substance; for however easy it might be to adjust claims of a *Cultivating* tenant on a Meerasdar, for improvement during temporary tenancy of land employed in agriculture, it would be quite impracticable to effect the same sort of composition with a *Merchant*, who had built warehouses, established a flourishing trade, and, perhaps, settled himself and family for years in a particular Town.

4. Mr. Reeves, at para. 19, suggests the heads of an Enactment that shall suffice for the protection of the Meerasdar's interests, and, at the same time, secure the fair rights of the cultivating tenants, and provide for the improvement of the Government lands which have become subject to this tenure. The only alteration which it occurs to me to propose in these suggestions is, that the second and third

articles in para. 19, defining the circumstances which shall temporarily debar a Meerasdar's right should be combined, and made to specify one period extending from five to thirty years. The alteration which I would recommend in Mr. Reeves' conditions are marked, and are grounded on the consideration that a person taking land on Lease, generally looks to the interests of his Heirs; and in a country where sudden death is common, it might ruin his family to be deprived suddenly of lands on which a deceased occupant had expended considerable capital with the prospect of a distant benefit.

5. The Honorable Court, in the extract para. 89 of their despatch, dated 23rd June 1841, seems to overrate the right of Meerasdars, in assuming that they can reclaim their land "after *any* period of non-occupation." Recent information seems to show that there has always been some period beyond which Meeras land could not be reclaimed; and it is to be recollected that, in former times, Meerasdars were liable to demands by the State of a nature never heard of now, such, for instance, as the "*Joint responsibility*" of every Meerasdar for the entire rental of his village, and the payment of extra cesses, on any emergent occasion, which were never required from the "*Oopree*" cultivators. These conditions of the Meeras tenure, though suffered to lie in abeyance by our Government, might fairly be revived, I think, in case an indefeasible title should be contended for by a Meerasdar; but I believe this pretension would hardly be set up, or find any supporters, at this day.

6. The necessity of limiting a Meerasdar's right of re-entry on land which he has relinquished or failed to pay rent for, appears now to be generally admitted; and, looking to the evidence and numerous opinions given on the subject, I consider that thirty years may be taken as the prescriptive period of absence, or non-occupation, after which, even under Native Governments, a Meerasdar's right of re-entry ceased to retain much force. At any rate, the enactment of that term of years, as the period of absence, or non-payment of revenue, which shall *for the future* preclude all claim to have Meeras land restored, would seem to be quite consistent with the general opinion among the Natives, and as much as can be required by any considerations of essential equity or justice. In fact, thirty years' uninterrupted possession does now, by Section V. of 1827, constitute good title to immoveable property; and, I believe, it is contemplated by the Government of India to reduce even to twelve years the term of actual enjoyment that shall give legal title to such possessions. (Vide Draft Act on the Limitation of Suits, dated 21st March 1842.)

7. With respect to land in Towns lying unoccupied and unclaimed, the question does not appear to have been much considered hitherto; but I have called on the several Collectors to report what has been the practice in their different Zillahs with respect to such deserted ground.

I have, &c.,

W. Simson,
Revenue Commissioner.

Poona, Rev. Com.'s Office,
13th December 1842.

P. S.—Paras. 107 to 153 of Mr. Chaplin's Printed Report, dated 20th August 1822, are entirely devoted to the subject of Meeras in the Deccan; and paras. 117, 118, 119, 134, and 144, bear particularly on the question under consideration.

The forfeiture by long dereliction, and the right of Government to dispose of Meeras, after long absence, are points said not to be disputable; and "a Meerasdar declining to sow his field, or pay the public revenue on it, might be compelled to give in a written deed of renunciation. Without this check, the right of Government on the Meeras would often be compromised by the contumacy or inability of the holder."

No. 2201 of 1843.

Territorial Department—Revenue.

To D. A. Blane, Esq., Revenue Commissioner S. D.

Sir,—I am directed to acknowledge the receipt of your predecessor's letter No. 1752, dated 13th December last, with enclosures, on the subject of the expediency of limiting, by Legal Enactment, the period within which a Meerasdar may claim restitution of his Meeras land, the hazard of incurring litigation by granting Kowls of lands the entire property of which is not vested in the State, and the advantages to be expected from creating new Meeras tenures, divested of an indefeasible lien upon the land unvoided by desertion.

2. The Honorable the Governor in Council observes, that the necessity of fixing some term beyond which the claim of a Meerasdar to possession of his abandoned Meeras lands cannot be enforced, seems agreed upon by all parties. The right of resumption has always been considered restricted by time, but the extent of that time has never been determined; and the Honorable the Governor in Council is of opinion that it should now be so by Law. His Honor in Council approves of the term proposed in Mr. Simson's 6th para., of thirty years, as destroying all right on the part of the Meerasdar, since that is the term fixed by existing Regulations for conferring a legal title; and should the latter, at any future period, be reduced, the former may be so also.

3. In regard to abandonment, or neglect to pay revenue, during a shorter period, while the Meeras lands have, in the mean time, been *placed* in the possession of others, the right of resumption must be dependent on the payment to the party holding it, of all his expenditure on the land, and to the Government of all arrears of assessment due, while it has been in cultivation.

4. In order to establish the claim of the Meerasdar against the party in possession, he must either be left to the ordinary tribunals of the country, or resort may be had to a more summary process through the means of the Revenue Authorities. The Governor in Council would prefer the latter mode—at least in the first instance, leaving either party to appeal (if needs be) to the Courts of Law, from the decision of a Punchayet to be assembled under the superintendence of the Revenue Officers.

5. There certainly would be an advantage, if the length of the period of abandonment of the land, and non-payment of the assessment, were to affect the right of the Meerasdar to its restoration as proposed by Mr. Reeves, para. 19, since the Government would then know on what terms it might lease the land to others, without the chance of their being disturbed by the Meerasdar. That land thrown up for from one to five years should not be claimed till the existing crop is off the ground is reasonable; but some modification seems required in Mr. Simson's proposed reading of the 2nd Clause, under which, when the abandonment has been beyond five years, the Meerasdar cannot claim, until any lease given shall have expired; for the term of Leases now granted under the Survey, is fixed at thirty years, and a Meerasdar might thus have to wait until his tenure was destroyed.

6. The Honorable the Governor in Council desires me to request that you will prepare and submit a Draft of an Act, to give effect to these views, limiting the term within which land can be resumed to thirty years, and laying down such provisions as may seem necessary for any intermediate period of abandonment.

I have, &c.,

L. R. Reid,

Chief Secretary to Government.

Bombay Castle,
28th June 1843.

No. 705 of 1843.

To L. R. Reid, Esq., Chief Secretary to Government.

Sir,—I have the honor to submit a Draft of an Act for limiting the Claims of Meerasdars to lands which have been abandoned by them for certain periods, as called for in your letter No. 2201, of 28th ultimo.

2. The recovery of lands after thirty years' intermediate possession is barred by Regulation V., Chap. I., but as that regards only the title thus obtained by the occupant, and the possession moreover must be uninterrupted, Sections 1 and 2 are intended to provide for the unconditional forfeiture to Government after that period.

3. Section 3 allows a latitude of five years, without further sacrifice than that of waiting till the crop on the land, or for which the land has been prepared, be gathered. The occupant on such terms will not undertake any improvements; but, on the other hand, being aware of the nature of his tenure, he cannot be considered to be subjected to any injury.

4. After the above period, the grant of Leases is authorised by Section 4. These may be given for any period not exceeding thirty years, and should not, I think, be liable to be disturbed on any terms, it being sufficient to provide that the eventual right of recovery shall not be barred thereby under Regulation V., in the event of a written application being made within the period of thirty years from the time of abandonment. A short Lease granted near the expiration of that period would otherwise be liable to the same objection as one of longer duration.

5. Lands in towns and villages should be liable, as nearly as possible, to the same provisions; but it is necessary to define what is to be considered as abandonment, and as Leases, except for a very long period of years, are less applicable to such property, the payment of the full value of any building erected thereon I consider to be a more eligible provision, as the condition of recovery within the period of absolute forfeiture, and Section 5 has accordingly been framed on this principle.

I have, &c.,

D. A. BLANE,
Revenue Commissioner S. D.

Rev. Com.'s Office,
Dharwar, 10th July 1843.

Draft of an Act for limiting the Claims of Meerasdars to Lands which have been abandoned by them for certain periods.

1. It is hereby enacted, that any Meerasdar throwing up his land and not providing for the payment of the Government assessment thereon for a period of thirty years, shall be deemed to have forfeited all right and title to such land which shall thenceforth be held to be Government land, at the entire disposal of Government.

2. And it is hereby enacted, that no one claiming, in virtue of hereditary succession, or on any other title derivable from such Meerasdar, shall have any right to such land, unless the claim be made within the period of thirty years as abovementioned.

3. And it is hereby enacted that, in the event of the land being in the possession of another occupant, such occupant shall not be liable to ejectment until the crop on the land, or for which the land may have been prepared, shall have been gathered.

4. And it is hereby enacted, that after the land shall have been abandoned, as above defined, for a period of five years, it shall be competent to Government to grant a Lease or Leases thereof for periods not exceeding thirty years, which shall remain undisturbed; provided, however, that such Lease or Leases shall not be held, under Regulation V. Chaps. I. and II., A. D. 1827, to bar the eventual right of recovery if a written application for repossession have been made to the Collector of the Zillah within a period of thirty years from the date of original abandonment.

5. And it is hereby enacted, that all right to land within the precincts of a town or village shall be subject to the limitation in Clause I., if remaining unoccupied, or, if occupied by a Building, from the entire desertion of such building for a period of five years, the same being, at the expiration of that time, roofless and uninhabitable, or otherwise from its subsequently falling into that state; and it shall then be competent to Government to assign the land to another occupant, who shall not be liable to ejectment except on payment of the full value of any building erected thereon—the right of the Meerasdar to claim on such conditions

being limited by the provisions of Regulation V. Chap. I. of A. D. 1827, or any future modification thereof, or by failure to make a written application to the Magistrate of the Zillah within a period of thirty years from the date of such first assignment, any intermediate alteration or abandonment of occupancy notwithstanding.

D. A. BLANE,
Revenue Commissioner S. D.

No. 3615 of 1843.

Territorial Department—Revenue.

To D^r A. BLANE, Esq., Revenue Commissioner S. D.

SIR,—I am directed by the Honorable the Governor in Council to acknowledge the receipt of your letter No. 705, dated the 10th July last, submitting a Draft of an Act for regulating the resumption of land abandoned by Meerasdars.

2. The above Draft Act having been considered conjointly with one on the same subject submitted by the Revenue Commissioner Northern Division, His Honor in Council desires me to communicate to you the following observations in regard to both these documents, which latter have, he observes, been framed in a very different manner from each other.

3. You commence by fixing thirty years as the limitation to the claim of the Meerasdar; then debar resumption by him on any occasion intermediately till the crop is off the ground, and, after five years' abandonment, till the expiration of any lease (not to exceed thirty years) which may have been given; and you finish with a section regarding sites of houses in towns and villages.

4. Mr. Pringle commences (after a preamble explanatory of the object of the Law) by giving the Revenue Authorities power to lease, for one year at a time, Meeras land which has been abandoned for less than five years; and for ten years if the abandonment be above five, and not exceeding ten years,—resumption being interdicted during such assignment, and permitted, at its expiration, only on payment of all balances due to Government from the land, and any expenditure on permanent improvements incurred by the Lessee. He then provides for the summary settlement of disputes regarding both the claim to the Meeras and the remuneration to the Lessee, and concludes by the extinction of all claims dormant during thirty years.

5. The principal difference in the two Drafts relates to the period during which Leases may be given by the Government,—Mr. Pringle limiting it to ten, while you extend it to thirty years. Ten years will, the Governor in Council considers, even under a moderate assessment, scarcely suffice to encourage much permanent improvement. Thirty years is the term fixed for Leases in all our recent Surveys, and Government ought not, perhaps, to be debarred from making the most of the land after the Meerasdar, by an abandonment for a lengthened period, has shown

a neglect of the interests of Government as well of his own. In consideration, however, of the rights of the Meerasdar, it might be determined that an abandonment during five years should enable Government to grant Leases for ten years; and on abandonment during ten years, should enable it to grant full Leases, that is, for thirty years.

6. Mr. Pringle, though he has inserted in his Draft the two provisions that, on a Meerasdar establishing his claim on the expiration of a Lease, he is to be answerable for outstanding Balances of Government Revenue, and for any expenditure incurred by the Lessee in permanent improvement, yet contends that neither of these provisions ought to be insisted on; that is, that the Government should look to the Lessee alone for the payment of outstanding Balances, and that the Lessee should look to the returns within the currency of his Lease for the repayment of his outlays.

7. Before remarking on this opinion, I am instructed to observe, that Gutkool lands are perhaps more generally assigned for an indefinite period than under specific Leases; and as many Ryuts would prefer this kind of holding to binding themselves down for a certain term, some provision should be made for its recognition.

8. It may, perhaps, be said that such temporary occupants should be treated only as annual tenants; but this would not be in confirmity with practice, since a Ryut to whom Gutkool land has been indefinitely assigned, is considered as having a kind of title to hold that land so long as he pays the assessment annually, and under this security may often commence improvements which an occupant for one year only would not undertake. It would, His Honor in Council is of opinion, be found that most of the Gutkool land in the Deccan is now held under this system.

9. A distinction should, therefore, I am desired to observe, be made between Gutkool lands held from Government under specific Leases, and those held under indefinite occupancy, and this distinction should be applied to the two points noticed by Mr. Pringle.

10. First, as to the payment of Government arrears. As the holder on indefinite occupancy is liable to be ejected at the expiration of any season, a provision seems required for the security of the Government Revenue in arrears, under the plea that the Meerasdar, who consults only his own inclination and advantage in the period of his resumption, should not leave Government, by any sudden demand of entry, unsecured against the payment of any arrears which may be outstanding, and which their ignorance of his intention of asserting his claim may have prevented their taking measures to recover. For this purpose arrears due from the land for two years previous to the application of the Meerasdar, should, I am directed to state, be left upon the land, and required to be paid, or arranged for by the claimant, before his claim can be admitted.

11. In regard to the other point, the payment of the cost of any permanent improvement, where the land may be under indefinite occupancy, and, therefore, liable to be claimed at the pleasure of the Meerasdar, it should certainly be one of the conditions of the acknowledgment of the claim that such expenses should be made good unless they may have been fully covered by the returns; otherwise the occupant, unless he took a Lease for a fixed term, which he might be unwilling to do, would be deterred from all improvement.

12. Where the land is under specific Lease, the case is in some degree different so far as the Lessee is concerned, because, holding the land for a certain period only, he ought not, strictly speaking, to look beyond that period, or to lay out upon the land a larger capital than the returns from the land benefiting from it will enable him to recover. But this principle, if acted on, would be a bar to improvement, because a Ryut taking a Lease always looks forward to its renewal (perhaps on a slightly enhanced rent) on the expiration of the term; and doubtless in far the greater number of cases would receive such renewal. Again, looking to the position of the entering Meerasdar, it is impossible to argue that he can have a just claim to benefit by improvement in which he has taken no part, and, perhaps, after his neglect or abandonment of the land, has thrown a loss upon the State by its remaining uncultivated for years before a long Lease may have tempted another cultivator to occupy it. He may leave it a mere Jeerayet field, and return to and find it converted into valuable Baghayet.

13. His Honor in Council is disposed, therefore, to think that we should not err, if, in this case, we were to refuse to the Meerasdar unfettered entry, and to declare him to be subject to some payment should the land have permanently improved when coming into his possession. But though this be not insisted on, the Governor in Council thinks that we might, notwithstanding the argument that the Lessee ought to look to the term of his Lease, only provide that if his improvements were not made good during its term, the Meerasdar should remunerate him.

14. The provision which you have inserted regarding Building-sites in Towns and Villages seems requisite, and might be adopted with some slight modification.

15. The term "*Revenue Authorities*" used in Mr. Pringle's Draft, is, His Honor in Council considers, perhaps too vague and indefinite; and as neither Draft provides the mode in which the abandonment by the Meerasdar of his land is to be ascertained, this omission requires to be supplied.

16. The above observations are embodied in the accompanying Draft, which I am instructed to forward to you for any observations which may occur to you thereon. I am, at the same time, requested to call your attention to this point, viz. whether there may not be, in many parts of the country, Hereditary occupants of land, who may not, like the Meerasdars of the Deccan, possess the right of reclamation after any relinquishment? Should such be the case, as Government has no desire to extend that right of reclamation where it does not now exist, it

may, the Governor in Council is of opinion, be proper to substitute the word "Meerasdar" for "Hereditary occupant," throughout the Draft, thus confining the operation of the New Law to those Districts where the Meeras tenure is in existence.

I have, &c.,

L. R. Reid,

Chief Secretary.

Bombay Castle,
6th November 1843.

No. 1254 of 1843.

To L. R. Reid, Esq., Chief Secretary to Government, Bombay.

Sir,—I have the honor, as called for in your letter No. 3615, of 6th instant, to submit, with deference, the following observations on the "Draft Act for limiting the Rights of Meerasdars" therewith transmitted.

2. The right of Government to assign unoccupied land from year to year has never, I conceive, been questioned, and need not therefore be made the subject of Enactment. On this head, the general acceptation of the rule is very clearly expressed in Page XIX. of the Appendix to the second edition of the Honorable Mountstuart Elphinstone's printed report on the Deccan, to which I would beg to refer.

3. The same authority is also opposed to an occupant from year to year, or on Lease, having any claim against the Meerasdar on account of expenditure on the land; and as the Government are now about to limit the Hereditary right in many material respects, they should not, I think, declare by enactment the existence of a claim against the Meerasdar which they do not admit in their own case. It is true that a tenant would run a greater risk in laying out capital on Meeras land than on that held of Government; but the principle of even and impartial justice ought not, I think, to be sacrificed to secure him an option to the possible detriment of the Hereditary Claimant.

4. The wording, I think, might be made more comprehensive in Clause I; and I would suggest a few slight alterations in the wording of some of the other clauses which are shown in italics in the accompaniment,—the portion I would omit being enclosed in brackets.

5. With respect to Clause IX., the Certificate therein specified should be held to be a sufficient proof, but other conclusive evidence need not be excluded in case of any omission to take the Certificate in question or of the loss of that document.

6. In order to meet the possibility alluded to in para. 16, of the right of reclamation being extended where it does not now exist, another clause to the effect inserted in the accompaniment might, I think, be added to the Enactment.

I have, &c.,

D. A. Blane,

Revenue Commissioner S. D.

Rev. Com.'s Camp Boodihal,
17th November 1843.

Draft of Act.

I. It is hereby enacted, that it shall be lawful for a Collector *or Sub-Collector* of Land Revenue, *or any of his Subordinates* (or an Assistant Collector, or a District Revenue Officer) acting under *his* (the Collector's) orders, to assign to any person (to be held from year to year, land which has ceased to be occupied, and the revenue of which has ceased to be paid, for a single year, by the person claiming to be its hereditary occupant, or other person holding from him by special assignment.)

II. (And it is hereby enacted, that it shall be lawful for the said Revenue Authorities to assign to any person) for periods not exceeding ten years at a time, land which has ceased to be occupied, and the revenue of which has ceased to be paid for five years or more by the person claiming to be its hereditary occupant or his constituted Assignee.

III. And it is hereby enacted, that it shall be lawful for the said Revenue Authorities to assign to any person for periods not exceeding thirty years at a time, land which has ceased to be occupied, and the revenue of which has ceased to be paid for ten years or more by the person claiming to be its hereditary occupant or his constituted Assignee.

IV. And it is hereby enacted, that (an hereditary occupant shall be entitled to reclaim the occupancy of) land *held by* (assigned as above to) any other person from year to year *can* only *be re-entered upon by an hereditary claimant* after the crop on the ground, or that for which the ground may have been prepared, shall have been gathered, and only on payment of all arrears of revenue that may be due on such land to Government on account of the two years preceding his re-entry (and of all expenditure upon it which may have been made during his abandonment on account of permanent improvements).

V. And it is hereby enacted, that when land shall have been assigned as above for specific periods, the hereditary *claimant* (occupant) shall be entitled to *re-entry on* (reclaim) the land only at the expiration of the term of such assignment (and on payment to the temporary Assignee of all expenditure on account of permanent improvements which may not have been fully returned to him during the currency of his Lease).

VI. And it is hereby enacted, that any disputes or doubts as to the validity of the right of hereditary occupancy in virtue of which land is reclaimed, (or the amount of remuneration to be paid by the Claimant to the intermediate occupant,) shall be summarily settled by a Committee of Arbitrators appointed by the Collector, Sub-Collector, or Assistant Collector, from whose award an appeal shall lie to the Courts of Adawlut if preferred, within six months from the date of the award, otherwise such award shall be final.

VII. And it is hereby enacted, that all right of hereditary occupancy in land shall cease, after its occupation, or the payment of revenue by the hereditary occupant

or his constituted Assignee, has been discontinued for a period of thirty years, provided his reinstatement in occupation has not been prevented by an intermediate assignment *on Lease as above authorised* (to a temporary tenant); but in case it has been so prevented, and provided a claim for reinstatement has been made within the above period of thirty years, the right of hereditary occupancy shall not cease until *one year after* the expiration of the current assignment.

VIII. And it is hereby enacted, that all right to land or sites for buildings within the precincts of towns and villages, shall cease after its occupation by the hereditary occupant or his constituted Assignee shall have been discontinued for a period of thirty years; and if that land or site be deserted by the hereditary occupant for a period of ten years, it shall be competent for the Revenue Authorities abovementioned to assign it to any person with the buildings thereon, should there be any; and such Assignee shall not be liable to ejectment by *an* (the) hereditary *claimant* (occupant) except on payment of the full value of any building which such Assignee may have erected *inclusive* (and) of any repairs or additions which he may have made to those left by the hereditary occupant at the time of his desertion.

IX. And it is hereby enacted, that (the desertion by the hereditary occupant of his land or building site shall be proved by) *a* certificate under the hand of the Village Officers, countersigned by the Hereditary District Accountant, where such Office exists, *shall be held to prove desertion by an hereditary occupant of his land or building site,* and that all claims advanced by *persons, claiming to be* (the) hereditary occupants, to the restoration of their lands shall be made in writing, and presented to the head Revenue Officer of the District, or to the Collector or his Assistant.

X. *And it is hereby enacted, that no person claiming to be an hereditary occupant on a tenure not entitling him to re-entry after abandonment, shall acquire any such title in virtue of the provisions of this Act.*

D. A. Blane,
Revenue Commissioner S. D.

MEERASEE TENURE—Respecting new Grants of Land on ——; Occupancy of abandoned Meeras Lands, &c.,

No. 664 of 1844.

Territorial Department—Revenue.

To E. H. Townsend, Esq., Secretary to Government, Bombay.

Sir,—I have the honor to submit a correspondence with the Collector of Poona on the subject of new grants conferring a tenure on Meeras, together with a translation of the restrictive clause introduced into the deed granted to Sutwajee Goondgul, under the authority of para. 10 of the Government letter No. 3589, of the 1st November 1843.

2. The instructions in the Government letter No. 490 of 1835, sanctioned a Proclamation, "declaring that Gutkool land will be granted in Meeras without

the exaction of any Fee or Nuzzur." Subsequently, in 1838, the subject again came under consideration in connection with the question relating to the assignment by Kowl, or Lease, of the land of absent Meerasdars. The latter point was disposed of in the Government letter No. 1339, of 10th April 1838, and the sentiments of the Honorable the Court of Directors, with reference to grants of land on Meeras tenure, are conveyed in the extract of their despatch transmitted with the Government letter No. 1193, of 16th April 1844.

3. From the above it would appear that grants of this nature, with the requisite limitation, are authorised. Previously, however, to replying to the Acting Collector of Poona, who has requested instructions on the subject in order to dispose of applications, amongst others by Colonel ——, made to him for grants on Meeras, I beg to suggest for the orders of Government, whether restrictions to the following effect might not be desirable:—

First.—Grants in Meeras should only be given on special grounds, such, for instance, as having undertaken the sinking of a Well or some other permanent improvement; and the Deed is not to be delivered until a reasonable progress have been made in the works for which the privilege of this tenure is claimed.

Second.—Ordinary grants are to be subject to the confirmation of the Revenue Commissioner.

Third.—Grants to Europeans must be submitted for the previous sanction of Government.

I have, &c.,
D. A. BLANE,
Revenue Commissioner S. D.

Rev. Com.'s Office, Camp Hewra,
Poona District, 20th May 1844.

Draft of a Deed in Meeras granted to Sutwajee Goondgul.

The Preamble states the grounds on which the grant is made.

The extent of the land, boundaries, and amount of the Government assessment, are then entered in detail, and the conclusion is as follows:—

"The tenure conferred by this Meeras Putr will be held valid without interruption so long as the Government assessment on the land is paid; but on failure thereof, the Government retain the full right of resuming the land,—nothing in this Deed being held to confer any title on which the said right can be questioned."

(True translation)
D. A. BLANE,
Revenue Commissioner S. D.

REMARKS.

"In all ordinary grants it is proposed to insert after the words 'failure thereof,' the words 'or in the event of the land being required for public purposes.'"

D. A. BLANE,
Revenue Commissioner S. D.

Extract, being paras. 1, 2 *and* 3, *of a Letter from Government to the Revenue Commissioner S. D., dated* 12*th October* 1844, *No.* 3542.

"Para. 1. I am directed to acknowledge the receipt of your letter No. 664, dated the 20th May last, submitting a correspondence with the Collector of Poona, on the subject of new grants conferring a tenure in Meeras, together with a translation of the restrictive clause introduced into the Deed granted to Sutwajee Goondgul under the authority of Government.

"2. In reply, I am directed to observe, that the matter of granting lands on Meeras tenure will be much affected by the result of the reference made to the Government of India, under date the 13th May last, for an Act empowering Government to assign Gutkool lands to other tenants on terms varying on the period during which the claimants to the proprietory right in them may have ceased to pay the rent of them to the State. The Act, if passed, will, I am desired to remark, inhibit the grant of lands in Meeras, unless they have been deserted by the original Meerasdars for more than thirty years.

"3. Referring to the 3rd para., I am desired to state that His Honor in Council is not aware of any objection to the rules therein proposed; but before finally sanctioning their adoption, he has considered it expedient to call for the opinion of the Revenue Commissioner of the Northern Division in respect to them."

No. 4169 of 1844.

Territorial Department—Revenue.

To D. A. Blane, Esq., Revenue Commissioner S. D.

Sir,—With reference to my letter to your address (No. 3542), dated 12th ultimo, regarding the grant of land on Meeras tenure, I am directed by the Honorable the Governor in Council to inform you that, as the Proclamation of 1835 authorised the grant of Gutkool lands in Meeras unconditionally, you should now direct the Collector to issue another Proclamation modifying the one above quoted, so far as to say that all persons requiring "Meeras Putrs" should apply to the Collector, who will give their applications all due consideration.

2. The rules proposed by you, need not, the Governor in Council desires me to add, be introduced in the Proclamation, though they may be the guide to the Collectors when applications are received.

I have, &c.,
E. H. Townsend,
Secretary to Government.

Bombay Castle,
23rd November 1844.

No. 2380 of 1849.

Territorial Department—Revenue.

To W. Courtney, Esq., Acting Secretary to Government.

Sir,—With reference to the Secretary's letter, dated 23rd November 1844 (No. 4169), on the subject of granting lands on Meeras tenure, I have the honor to

submit one from the Collector of Ahmednuggur, dated 26th January (No. 157), with endorsement of 23rd February (No. 325), in the former of which Mr. Spooner requests to know whether he can grant lands on Meeras or not.

2. The above question, which commenced with my predecessor's letter of 20th May 1844 (No. 664),* was for a time disposed of by the Government letter above quoted; and I cannot find that the discussion of the subject was ever renewed. It is evidently *desirable that some limit* should be put to the power of absent Meerasdars to claim their lands after long periods of absence: in cases similar to that which forms the subject of the present correspondence, a man, both able and willing to improve his farm, is prevented from doing so,—by the knowledge that the Meerasdar may, at any time, step in and claim the land with all its improvements:—the injurious effects of such a state of things, are too palpable to need pointing out.

3. With regard to the question contained in the Collector's endorsement of 23rd February, I agree in the opinion expressed in that Officer's 4th para., "that the existing practice is judicious": a Well out of repair, is, to all intents and purposes, *not* a Well; and its repair is as useful as was its first formation. To remit the garden rates for a period proportioned to the cost of repair, though not distinctly authorised by the accompaniments to the Secretary's letter of 22nd November 1844 (No. 4130), appears a measure quite conformable to their spirit.

4. A further reference made to the Collector, on the 26th March, answered by that Officer on the 3rd ultimo (No. 578), regarding the correspondence quoted above, throws no additional light on the question, and is not therefore forwarded to Government.

I have, &c.,

Rutnageeree Districts, Rev. Com.'s Camp,
Arolee, 24th May 1849.

E. H. TOWNSEND,
Revenue Commissioner S. D.

No. 4213 of 1849.

Territorial Department—Revenue.

To E. H. TOWNSEND, Esq., Revenue Commissioner S. D.

SIR,—I have submitted to the Right Honorable the Governor in Council your letter No. 2380, dated the 24th ultimo, handing up a correspondence with the Collector of Ahmednuggur on the subject of granting lands on "Meeras" tenure.

2. In reply, I have been instructed to observe, that from the correspondence which passed with the sole Revenue Commissioner, the Government of the day appear to have considered it desirable, with the view of encouraging the Ryuts to improve their lands, that they should be granted to them in "Meeras" whenever applied for—divested, however, in the case of such new grants, of the inconvenient privilege of an indefeasible lien upon the land, unvoided by desertion or non-

* See page 722.

payment of the revenue, which characterizes the original "Meeras" tenure; and that, therefore, a stipulation should be made in the new Deeds to the effect that the Grantee was not to possess a right to reclaim the land after a given term of abandonment, and that if he quitted possession of it for a single season, and Government gave it on Lease to another person, he was not to possess any right to disturb such Lessee during the currency of his Lease.

3 These views were subsequently modified by the Rules proposed by your predecessor in May 1844* alluded to by you, and approved of by Government. The first of these Rules directs that "grants in Meeras should only be given on special grounds,—such, for instance, as having undertaken the sinking of a Well, or some other permanent improvement."

* Mr. Commissioner Blane's letter No. 664, of 20th May 1844, which precedes. (See page 722.)

4. In the case now submitted, it appears that a Koolkurnee repaired an old Well which had fallen in, at an outlay of Rupees one hundred; the Collector of Ahmednuggur has already reduced the assessment on the land irrigated from this Well, from Baghayet to Jeerayet rates, to continue in force for five years, to compensate him for the expense incurred; and, in addition to this, the Collector recommends that the land be granted to the Koolkurnee as "Meerasee."

5. The intention of the Rules of May 1844, clearly was to give grants of this nature only on special grounds, and as a reward for some permanent improvement made to the land; for the concluding part of the first Rule further directs that "the Deed is not to be delivered until a reasonable progress has been made in the works for which the privilege of this tenure is claimed:" the Koolkurnee in the present case has already been rewarded for the improvement made by him by the reduction of the assessment on the land, and, under the Rules above quoted, His Lordship in Council is of opinion he can have no reasonable ground to have the land made over to him in "Meeras" besides, and his request should not, therefore, be complied with.

6. On the question of the disposal of *abandoned* "Meeras" lands, also again raised by you, I have been desired to observe, that the right of the Meerasdar to claim the restitution of his land has always apparently been considered to be restricted by *some* time, but the extent of that time seems never to have been determined. The Honorable Court would appear, from their despatches on the subject, to be of opinion that, so long as the present undefined rights of Meerasdars exist, Government should not involve itself in litigation by granting lands,—the entire property in which is not vested in the State; and this Government, at the suggestion of the Honorable Court, in consequence, prepared and submitted to the Government of India a Draft of an Act (vide your predecessor's letter No. 1254,* dated the 17th of November 1843) limiting the period within which a Meerasdar may assert his claim to land which he has abandoned, or for which he has failed to pay rent, to thirty years; and providing for the disposal of such lands during

* See page 720.

shorter periods of abandonment, so as to secure Government from loss of revenue. No reply has, however, been received on the subject from the Supreme Government; the question will therefore be again brought before that authority, and an early decision solicited.

I have, &c.,
A. MALET,
Chief Secretary to Government.

Bombay Castle,
30th June 1849.

MEERASEE TENURE.—The grant of Lands on —— not objected to.

No. 4058 of 1846.

Territorial Department—Revenue.

To E. H. TOWNSEND, Esq., Revenue Commissioner S. D.

SIR,—With reference to Mr. Secretary Townsend's letter to your predecessor's address, No. 4169, dated the 23rd November 1844,* I am directed by the Honorable the Governor in Council to transmit, for your information, the accompanying copy of an extract, para. 8, from a despatch from the Honorable Court of Directors, No. 15, dated the 1st July last, relative to the grant of lands on "Meeras" tenure.

I have, &c.,
R. K. PRINGLE,
Chief Secretary.

Bombay Castle,
3rd December 1846.

Extract of a Letter from the Honorable the Court of Directors, dated 1st July 1846, No. 15.

"Para. 8. We see no objection to the grant of Gutkool lands on conditions which reserve to the Government the absolute right of resuming them in the event of any failure in the payment of the assessment."

111 and 112. Correspondence relative to the grant of Lands on Meerasee tenure transmitted.

(True extract)
R. K. PRINGLE,
Chief Secretary.

MEERASEE LANDS taken up for Public purposes, can be exchanged for other Lands on the same tenure if desired; &c.

Extract, being part of para. 4 of a Resolution from Government, dated the 12th August 1852, No. 5322.

"Para. 4. * * * * Lands given in exchange for Meerasee lands taken for public purposes, should be given as "Meeras" if the Meerasdars of the

* See page 724.

lands so taken desire it, although the value of the title does not become greater than that conferred by the Revenue Survey Rules on holders of Gutkoolee lands."

MEERASEE LANDS.—Orders regarding the Sale of —— for the recovery of Revenue Balances.

No. 10818 of 1851.

Territorial Department—Revenue.

To E. G. Fawcett, Esq., Revenue Commissioner S. D.

Sir,—I have been directed by the Right Honorable the Governor in Council to acknowledge the receipt of your letter No. 3527, dated 18th ultimo, submitting communications from the Acting Collector of Sholapoor, soliciting instructions relative to the sale of certain Meerasee Lands on account of Balances due by their owners; and in reply, to inform you, that all that the 5th Rule, para. 84 of the Joint Report, requires, is, that the form necessary to give the Collector's orders "the force of a legal decree" should be observed.

2. In the case of a Meerasdar having to be ejected under the Rule from the Land, the same may be sold by public auction, and bought in by Government if the sum to which it may run up should not exceed the Balance due, and the Meeras rights connected with this land be thus extinguished.

3. If the sum to which it is run up is in excess of the Balance due, the land must be sold and transferred to the name of the purchaser as "Meeras," but without any specification as to what privileges may be attached to the tenure.

4. You will have the goodness to send Captain Wingate and the Collectors of Revised Districts a copy of this correspondence.

I have, &c.,

A. Malet,

Chief Secretary to Government.

Bombay Castle,
17th November 1851.

No. 3527 of 1851.

Territorial Department—Revenue.

From E. G. Fawcett, Esq., Revenue Commissioner S. D.,

To H. E. Goldsmid, Esq., Secretary to Government.

Sir,—I have the honor to transmit for the orders of Government the communications quoted in the margin, from the Acting Collector of Sholapoor, soliciting instructions relative to the sale of certain Meerasee Lands on account of Balances due by their owners.

Memorandum No. 560 of 23rd July 1851.
Letter No. 735 of 10th September 1851.
Memorandum No. 792 of 1st October 1851.

2. The measure in question seems to be one of some severity, but there appears no other way of recovering the dues of the State; and it seems inferable from the Acting Collector's report of 23rd July last, No. 560,

that there are many Meerasdars withholding payment, who would not do so if they were in fear that they might thereby lose their Meeras privileges.

3. I am not aware of any precedents of the actual sale of Meeras Lands in cases like the present, though the latter part of Rule 5 of the Printed Joint Report seems to contemplate such a proceeding. I beg to refer to the 4th para. of Captain Wingate's letter to the Acting Collector of Sholapoor, No. 279, dated 15th July last, forwarded to Government with my memorandum of 5th August following, No. 2914, in which the advisability of confiscating this tenure in such cases is advocated, and in which opinion I fully concur.

I have, &c.,
E. G. FAWCETT,
Revenue Commissioner S. D.

Poona, Rev. Com.'s Office,
18th October 1851.

MEERASEE LANDS.—Orders regarding the debiting in Accounts, and recovering, of the cost of Boundary-marks in Inam and ——. *See Government Resolution No.* 9976 *of* 1851, *under* "Boundaries."

MHARS.—Gratuitous Labor not to be required by Public Officers from Village —— and Watchmen. *See Extract from Government Letter No.* 2713 *of* 1849, *under* "Gratuitous Labor."

MILITARY OFFICERS.—Applications from —— in any Civil employ to resign their Appointments and join their Regiments, not to be entertained till Government are enabled to judge whether their local services can be dispensed with.

No. 7158 of 1848.

Territorial Department—Revenue.

To D. A. BLANE, Esq., Revenue Commissioner N. D.

SIR,—Government having determined that the principle applied in the annexed copy of a Resolution passed by the Government of India, on the 27th December 1841, to Officers in Political employ, requesting permission to resign their appointments and to join their Regiments proceeding on Field Service, shall be made applicable to all Military Officers in any Civil employ in its service; I have been directed by the Right Honorable the Governor in Council to request, that you will communicate this Resolution to the Departments concerned in your Division.

I have, &c.,
W. COURTNEY,
Acting Secretary to Government.

Bombay Castle,
15th November 1848.

No. 3715.

Resolution.—It having appeared to the Governor General in Council that the practice of Military Officers, employed in the Political Department, or serving with Local Corps that are directly under the control of that Department, applying for leave to join the Corps to which they regimentally belong when ordered on service, is open to objection, (as it may be presumed, that whenever the presence of such Officers with their proper Regiments is required, His Excellency the Commander in Chief will intimate his desire that they should be relieved from their Political duties or other detached employment, and the Government will be enabled to judge whether their local services can be dispensed with), the above letters are made over in original to the Military Department, in order to their being communicated to the Commander in Chief, when His Excellency may be pleased to issue such circular notices as may preclude the necessity of Officers feeling it incumbent upon them to volunteer for active service on such occasions.

W. BALEY,
Assist. Secy. to the Govt. of India.

Fort William, Political Department,
The 27th December 1841.

(True copy)
W. COURTNEY,
Acting Secretary to Government.

MONEY.—Disbursing Officers prohibited from letting any —— go out of their Treasury without the sanction of Government, except for established and well defined allowances.

Notification.

Numerous instances having occurred in which Bills for extra allowances to Covenanted Civil Servants have been paid by Collectors under their own construction of the Rules laid down in the Absentee Regulation, the amount of which Bills has on audit been found to be inadmissable and consequently checked by Government, the Right Honorable the Governor in Council is pleased to prohibit all Disbursing Officers from letting any money go out of their Treasury, without the sanction of Government, except for established and well defined allowances, and will hold all such Disbursing Officers responsible for any payment made in violation of this order.

By order, &c.,
J. BAX,
Secretary to Government.

Bombay Castle,
11th August 1831.

MOOKHTIARNAMAS.—Orders regarding the necessity of writing all —— on Stamped Paper, &c.

Extract, being para. 4 *of a Letter from Government to the Revenue Commissioner S. D., No.* 4695, *dated the* 13*th August* 1853.

"Para. 4. The general questions adverted to in the Correspondence, *i. e.*—

I. Whether, or not, "Mookhtiarnàmàs," authorising the receipt of money due from Government, need be written on Stamp Papers?

II. Whether, or no, if a "Mookhtiarnàmà" be written on insufficient Stamps, the addition of another Stamp Paper will give it validity?

will be considered and disposed of in the Judicial Department; but supposing the second question to be answered in the affirmative, it is clear that the additional stamps should be added by the Principal, not by the Agent; and more especially so, when the original Deed is insufficient in consequence of further sums having been due after the original Deed was executed."

No. 363 of 1854.

Territorial Department—Revenue.

To the Acting Revenue Commissioner S. D.*

Copy of the Resolution passed by Government under date 17*th January* 1854, *on a transfer from the Judicial Department, No.* 4951, *dated* 23*rd November* 1853, *with enclosures, relative to "Mookhtiarnàmàs," authorising the receipt, by Agents, of Money Allowances from the Public Treasuries being on Stamped Paper.*

* With reference to Government letter No. 4695, of 13th August 1853.

The present practice of requiring such documents to be on Stamped Paper should be adhered to.

H. E. Goldsmid,
Secretary to Government.

MORTGAGEES of the Wuttuns of District and Village Officers have no right to manage or interfere with the duties of such Wuttuns. *See Government Circular No.* 944, *of* 1840, *under* "Wuttuns."

MUNICIPAL ACT.—Magistrates and Local Officers to exercise extreme care before recommending the introduction of the —— into a Town.

Extract para. 5 *of a Letter from the Government of India (No.* 830*), dated the* 31*st March* 1854.

"Para. 5. I am instructed to observe, that the occurrences at Vellore show how difficult it is to ascertain the real wishes of the inhabitants of a town regarding the introduction of the Municipal Act, and how necessary it is for the Magistrates and Local Officers to exercise extreme care before recommending it. They should endeavour to discover if the wish expressed for the measure is real and general,

and also, if there be no large body of influential persons, who are, it may be silently but resolutely, opposed to the Act.

(True extract)
C. E. F. TYTLER,
Offg. Secy. to Government.

MUSTERS OF ARTICLES furnished by Contractors not to be taken away by the inferior Servants of a Department, or appropriated to private use.

Notification.

General Department.

The Right Honorable the Governor in Council understanding that it has hitherto been the practice for heads of certain Departments to allow the Musters of Articles which are furnished by Contractors to be taken away by the inferior servants of the Department or to be otherwise appropriated, His Lordship in Council is pleased to prohibit such practice, and to direct that no private use shall in future be made of such Musters.

By order, &c.,
L. R. REID,
Secretary to Government.

Bombay Castle,
8th April 1834.

N

NOTIFICATIONS—All Orders and Public —— appearing in the "Bombay Government Gazette" under the signature of the Secretary, or other Public Officers of Government, to be conformed to, and obeyed accordingly. *See Government Notifications of 4th August* 1831, *and* 18*th January* 1832, *under* "Gazette."

NUZZURS—Public Officers prohibited from receiving —— from their Fellow-servants, or the Inhabitants of the Districts they serve in, on occasions of Marriages, or other Ceremonies. *See Government Circular No.* 2259 *of* 1828, *under* "Presents."

NUZZURANA—Sentiments of the Honorable Court in respect to the exaction of —— in cases of Succession to Estates and Offices.

Circular.

No. 1588 of 1834.

Territorial Department—Revenue.

To T. WILLIAMSON, Esq,, Revenue Commissioner.

SIR,—I am directed by the Right Honorable the Governor in Council to transmit, for your information, the accompanying copy of a letter from the Honorable

the Court of Directors to the Supreme Government, dated the 5th September 1832, conveying their sentiments respecting the exactions of Nuzzurana, or tribute, on succession to Estates and Offices.

I have, &c.,
L. R. Reid,
Secretary to Government.

Bombay Castle,
9th June 1834.

No. 4 of 1832.

Revenue Department.

Our Governor General in Council at Fort William in Bengal.

" Para. 1. We shall now reply to your letter dated the 6th July 1830.

" 2. The subject of this letter is a proposal submitted by the late Governor of Bombay, for levying a Nuzzuràna or tribute, on succession to estates and offices.

3. You consider that this proposal cannot be adopted under your Presidency, either with justice to individuals, or with any adequate prospect of public advantage.

4. The Government of Madras appears by its President's minute of 10th January 1832 to be of the same opinion with respect to the territories under that Presidency.

5. The only question, therefore, before us is, the propriety of acting on this proposal under the Presidency of Bombay.

6. The estates on which it is proposed to levy Nuzzuràna are rent-free estates of two classes,—those which are now hereditary, and those which being now held on life-tenures it is proposed to make hereditary on the payment of the Nuzzuràna.

7. With respect to estates of the firt class, hereditary rent-free lands, it appears to us that we have no more right to subject them to this form of Revenue than to any other partial and exclusive impost. Indeed, the proposal first to establish the Nuzzuràna, and then, in consideration of its magnitude, to commute it for a fixed annual payment is only laying the leases of a land Revenue under a new denomination. The exceptions to what we have here laid down are two—*First*, Where there is clear evidence that payments of this kind have been taken by preceding Governments from which we should derive the right to receive similar payments, either by single sums or by fixed annual payments as suggested in our despatch of 4th May 1825; *Second*, Where the hereditary tenure is matter of dispute between the actual holders and the Government, and a payment of the kind in question may be equitably taken as compromise.

8. With respect to estates of the second class, life-tenures which it is proposed to make hereditary on payment of Nuzzuràna, we cannot concur in any of the arguments by which the late Governor of Bombay maintained, the expediency of alienating for ever lands of this description: these being certain to lapse to the

Government are portions of public property which we see no good financial or political reason for giving away.

9. Payments on accession to offices are, in our opinion, highly objectionable. The public service rendered and its rewards are, or ought to be, fairly equivalent. To pay, however, little for the right to render the service implies, that the service is paid too highly, and, still more, it gives at least an appearance of a claim to hold office by a different tenure from the proper discharge of its duties.

10. We therefore dissent entirely from the proposal of the late Bombay Government on the whole of this subject, with the exceptions stated under the head of the first class of Laws.

We are, &c.,
JOHN G. RAVENSHAW,
and other Directors.

London,
5th September 1832.

(True copy)
L. R. REID,
Secretary to Government.

No. 3496 of 1836.
Territorial Department—Revenue.

To T. WILLIAMSON, Esq., Revenue Commissioner.

SIR,—With reference to Mr. Secretary Reid's letter (No. 1588), dated the 9th June 1834, I am directed by the Right Honorable the Governor in Council to transmit for your information the accompanying copy of a circular issued to the Collectors under this date, together with the extract from the letter from the Honorable Court of Directors therein alluded to, explanatory of their instructions regarding the exaction of Nuzzuràna.

I have, &c.,
E. H. TOWNSEND,
Acting Secretary to Government.

Bombay Castle,
19th December 1836.

Circular.
No. 3495 of 1836.
Territorial Department—Revenue.

To ——————.

SIR,—With reference to the Government Circular (No. 1588), dated the 9th June 1834, I am directed by the Right Honorable the Governor in Council to transmit for your information and guidance the accompanying extract, being para. 22 of a letter from the Honorable the Court of Directors, dated the 18th May last, explaining that their instructions, regarding the exaction of Nuzzuràna, were

intended to apply to all cases of accession and succession to offices, without any exception whatever.

I have, &c.,
E. H. TOWNSEND,
Acting Secretary to Government.

Bomby Castle,
19th December 1836.

Extract of a Letter from the Honorable the Court of Directors, dated the 18th May 1836.

In reference to the Court's despatch to Bengal of 5th September 1832,† on the subject of Nuzzuràna, Government inquire whether that part of the Court's instructions, which refers to cases of accession of offices, is intended to apply also to cases of succession to hereditary district or village offices by adopted sons.

"Para. 22. Our instructions were intended to apply to all cases of accession and succession to offices, without any exception whatever.*

(True copy)
E. H. TOWNSEND,
Acting Secretary to Government.

See the Government Letter No. 7811, of the 25th October 1850 following.

NUZZURANA—Regarding the exaction of —— on successions to Service Wuttuns.

No. 7811 of 1850.

Territorial Department—Revenue.

To E. H. TOWNSEND, Esq., Revenue Commissioner S. D.

SIR,—Adverting to your letter No. 795, dated the 19th February last, I have been directed by the Right Honorable the Governor in Council to transmit for your information, and that of the Collectors in your Division, the accompanying transcript of a Despatch from the Honorable the Court of Directors, No. 5, dated the 4th ultimo, directing the continuance of the practice which has hitherto been followed, of not requiring "Nuzzuràna" on succession, by any mode, to Service Wuttuns.

I have, &c.,
H. E. GOLDSMID,
Secretary to Government.

Bombay Castle,
25th October 1850.

No. 5 of 1850.

Revenue Department.

OUR GOVERNOR IN COUNCIL AT BOMBAY.

1. We now reply to your letter in this Department, dated the 13th April last, (No. 33), in which you request to be informed whether it was our intention, in

† See at page 733.

our Despatch to the Government of Bengal, dated the 5th September (No. 4) 1832,* to prohibit the exaction of "Nuzzuràna" on the adoption of an Heir by an Hereditary Officer.

2. We consider that, although accession to office by adoption is not specifically mentioned in that despatch, the objections stated in the 9th para. to any payment being required on succession to Hereditary Offices, are equally applicable to succession by that mode. We accordingly desire that the practice which has been hitherto followed of not requiring "Nuzzuràna" on succession, by any mode, to Service Wuttuns may be continued.

We are, &c.,

London, JOHN SHEPHERD, and other Directors.
4th September 1850.

(True copy)
H. E. GOLDSMID,
Secretary to Government.

Extract paras. 1, 2, 3, 4 *and* 6, *from a Letter from Government to the Revenue Commissioner S. D., No.* 5666, *dated the.*20*th May* 1851.

"Para. 1. I have been directed by the Right Honorable the Governor in Council to acknowledge the receipt of Mr. Townsend's memorandum No. 1742, dated 8th ultimo, with its accompaniments, from the Collector of Belgaum, relative to the levy of "Nuzzuràna" from Dessàees and Patells.

"2. In reply, I have been directed to refer you to the letter from the Honorable the Court of Directors, No. 5, dated 4th September last, a copy of which was sent to your predecessor with my letter of the 25th October last, No. 7811, and to inform you, that the orders contained in the Honorable Court's letter enjoining the continuance of the practice of not requiring "Nuzzuràna" on succession, by any mode, to Service Wuttuns are final.

"3. The Governor in Council sees no objection, however, to the exaction of a nominal "Nuzzuràna" of one Rupee, which amount, he is of opinion, should, in no case coming under the Rules sanctioned by Government letter of 14th February last, No. 1343,† be exceeded. This nominal exaction will serve to keep people in mind of the necessity of obtaining the previous sanction of Government, or of the Collector in cases of adoption to Official Wuttuns, and of facilitating trace, in after years, by the entries in the Government accounts of the sanction having been given.

"4. Cases of large Dessàee Wuttuns in the Southern Mahratta Country, do not, I am to observe, with reference to the precedents quoted in Mr Reeves' letter, come within the Honorable Court's orders. They are cases, in which adoption is allowed generally in the Political Department as a matter of policy, the question in such cases being, not whether it is to the benefit of Government and the Public, that the service for which the Wuttun has been held should be perpetuated at the

* See at page 733.

† See at page 70.

charge to Government occasioned by the continuance of the Wuttun, but whether it is politic or just to sacrifice a certain amount of revenue in order to perpetuate a family which, failing descent by adoption, would become extinct. In cases where the latter question has to be considered, the exaction of "Nuzzuranà" has been recognised by the Honorable Court.

* * * * * * * * *

"6. You will furnish copy of your predecessor's memorandum and its accompaniments, and of this reply, to all the Collectors under your control."

NUZZURBHET—Orders regarding the distribution of Turbands from the —— Fund, at the Jummabundy Settlements, to deserving Patells.

No. 3368 of 1840.

Territorial Department—Revenue.

To J. VIBART, Esq., Revenue Commissioner.

SIR,—I am directed to acknowledge the receipt of your letter No. 1194, dated the 12th September last, reporting on the practice of presenting Turbands to Village Officers at the Jummabundy Settlements.

2. In reply, I am instructed to state that the Honorable the Governor in Council is pleased to sanction your recommendation that the practice should be limited to the Poona, Ahmednuggur, and Sholapoor Collectorates, in the two first of which it generally, and in the last it already, prevails; and approves of the plan proposed by you in the concluding para, for defraying the expense from the "Nuzzurbhet" Collections.

3. The amount of the "Nuzzurbhet," I am desired to state, should never be exceeded in the distribution of the Turbands to deserving Patells; and as it is to such, alone, that any present should be given, it is not likely, the Governor in Council conceives, that the amount itself will be expended. If a general distribution be made, the benefit of the example will cease.*

I have, &c.,
L. R. REID,
Chief Secretary.

Bombay Castle,
2nd November 1840.

Extract, being para. 12 *of Revenue Commissioner's Letter to Government, No.* 1194, *dated* 12*th September* 1840.

"Para. 12. I would beg respectfully to submit, that as the custom now prevails generally in the Poona and Nuggur Zillahs, it should be continued; and the proceeds of the "Nuzzurbhet" be appropriated to meet the expenses; it ought, as the custom has been introduced lately in some of the Sholapoor Districts, to be extended to the remaining Talookas; but I would suggest that the expense be

* Under orders conveyed in para. 18 of the Government Letter, No. 2743, of 29th June 1855, the "Nuzzurbhet" Collections have been discontinued.

limited, in all three Zillahs, to the amount of the "Nuzzurbhet" Collections; it might, if Government see fit, be deducted from the gross revenue at the time of settlement, and the "Nuzzurbhet" be carried to the credit of Government; but in all cases the outlay should be limited as proposed above."

NUZZURBHET not to be discontinued.

Extract of a Letter from Government, No. 2664, of the 14th August 1843, to the Revenue Commissioner S. D.

"Para. 26. In regard to the deficiency of the "Nuzzurbhet," Mr. Stewart (para. 82) speaks of the Patells discontinuing to present their "Nuzzurs" at the settlement of the Jummabundy. The Governor in Council does not understand how this has been permitted, since the presentation of this "Nuzzur" is an established practice, and as the proceeds provide a fund for the reward of deserving Patells, it should not be allowed to fall into disuse. It is an acknowledged item of the Village charges, and, as such, the presentation should be insisted on."*

NUZZURBHET.—Turbands to be presented to those Patells only, the flourishing state of whose Villages may render them deserving of such a distinction.

No. 4064 of 1843.

Territorial Department—Revenue.

To D. A. Blane, Esq., Revenue Commissioner S. D.

Sir,—I am directed by the Right Honorable the Governor in Council to transmit to you, for the information and guidance of the Collectors of Poona, Sholapoor, and Ahmednuggur, the accompanying extract, para. 27, from a despatch No. 27, dated the 20th September last, from the Honorable the Court of Directors, approving of the presentation of Turbands to Patells, the flourishing state of whose villages renders them deserving of such distinction, and to request that the reward be restricted to such cases.*

I have, &c.,
L. R. Reid,
Chief Secretary to Government.

Bombay Castle,
9th December 1843.

Extract of a Letter from the Honorable the Court of Directors, dated the 20th September 1843, No. 27.

"27. We approve of your having directed the presentation of Turbands to be confined to those Patells, the flourishing state of whose villages may show them to merit the distinction. The indiscriminate grant of such rewards is useless and unmeaning; but by restricting them in this manner, they will become marks of the favour of Government, and the hope of obtaining

63 to 69, also para. 67 of letter, dated 5th July.

Correspondence relative to the practice of presenting Patells with Turbands on making the Jummabundy in the Poona, Ahmednuggur, and Sholapoor Collectorates, transmitted.

* See foot-note to page 737.

them will lead the Patells to give attention to the good management of their charge.

(True extract)
L. R. Reid,
Chief Secretary.

NUZZURBHET—Accounts of the Receipts and Disbursements of the —— Fund to be furnished to the Revenue Commissioner at the close of each Season.

Extract part of para. 23 *of the Government Letter No.* 2411, *dated the 26th July* 1844, *replying to the Ahmednuggur Annual Report for* 1842-43.

"Para. 23. * * The Governor in Council is of opinion, that at the close of the Season, the Collectors within whose Districts the practice prevails of presenting Turbands to the Patells, should submit to the Revenue Commissioner an account of the Receipts and Disbursements of the 'Nuzzurbhet' Fund, as established under the Government letter of the 2nd November 1840, No. 3368."*

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OATHS OF OFFICE are not required to be administered by a Justice of the Peace, but may be taken in the mode directed in the Regulations or Orders of Government.

Notification.

Judicial Department.

To remove doubt on the point, the Right Honorable the Governor in Council is pleased to notify, that the Oaths of Office, published for Officers in various Departments, under regulations or orders of Government, are to be taken in the mode therein directed respectively, and do not require to be administered by a Justice of the Peace.

By order, &c.
C. Norris,
Chief Secretary to Government.

Bombay Castle,
24th April 1835.

OCCUPANTS of Land put into possession by Revenue Courts under Act XVI. of 1838, can only be ejected by a Decree of a Court of Adawlut; the Revenue Commissioners cannot interfere with the decisions of Revenue Courts, &c. *See Extract para.* 1 *of Government Resolution, No.* 6952 *of* 1851, *under* "Suits."

OCCUPANTS—The parties who are entitled to have their names entered in the Government Books as the —— of Land hitherto held as Inams by Zummindars, but which are now declared to be Khalsat, though continued as Life-grants to the Zummindars, &c. *See Government Letter No* 11834 *of* 1851, *under* "Inams."

OCCUPANTS.—Relative to the Ejectment of Tenants-at-will, or Sub-tenants, holding for a term of years under Special Agreement, &c. *See Extract of the Government*

* See page 737.

Letter, No. 7444, *of* 17*th November* 1852, *and Government Resolution of* 20*th December* 1855, *No.* 5351, *under* "Tenants."

OFFICE FURNITURE—Applications for —— should show the date and amount of the last supply. *See Revenue Commissioner's Circular of* 10*th July* 1830, *under* "Furniture."

OFFICERS—The extent to which Civil and Military —— are permitted to hold Lands. *See Government Circular No.* 4086 *of* 1843, *under* "Public Officers."

OFFICES—Government —— to be closed on Sundays. *See Government Circular No.* 2836, *of* 1846, *under* "Public Offices."

OFFICES—Charge of —— not to be resigned by Public Servants till they are relieved by their successors. *See Government Circular No.* 627 *of* 1833, *under* "Charge of Offices."

OFFICES—Public Servants delivering over, and receiving charge of, —— to report the same in a *Joint* letter. *See Government Notification of* 24*th October* 1849, *under* "Charge of Offices."

OFFICES.—Collectors and their Assistants prohibited from holding Office in their Private Residences.

Circular.

No. 425 of 1840.

Territorial Department—Revenue.

To all the Collectors.

Sir,—I have the honor to inform you, that the custom of a Collector and his Assistants holding Office at their own residences has been brought to my notice as one which is common in many Collectorates.

2. This very irregular practice entails considerable inconvenience on persons who are obliged to attend the Hoozoor, and I have met with instances in which the Kutcherry has been left without a single European Covenanted Officer; and petitioners and others, who had come there on Government business, have been obliged either to search for the private house of the Collector or his Assistant, or else remain in attendance at the Public Office for several days before they got their petitions listened to. With a view of preventing the necessity for persons experiencing any inconvenience of this kind, Government have erected, at considerable expense, Public Offices, which are supposed to be calculated to afford ample accommodation for the Collector and all his Assistants, and if the buildings are shown to be insufficient for the purpose, Government would, I have no doubt, sanction their being altered or enlarged.

3. I have to request, therefore, that you will take measures for having all

public Revenue business transacted by yourself and your Assistants, when at the Hoozoor Station, in the Public Office.*

I have, &c.,
J. VIBART,
Revenue Commissioner.

Kaira District, Camp "Mehmoodabad,"
Rev. Com.'s Office, 10th April 1840.

OFFICES—Government —— not to be used for any Native Religious Ceremonies. *See Government Circular, No.* 3056 *of* 1837, *under* "Public Offices."

OFFICES—No Public —— to be occupied as Private Residences without the sanction of Government. *See Government Notification of 26th March* 1844, *under* "Public Offices."

OFFICES—Prohibiting the publishing of any documents, papers or information from Public —— without Government sanction. *See Government Notification of 29th March* 1847, *under* "Public Offices."

OFFICES.—No Civil Servant, who is required by the exigencies of the Service to discharge the duties of a Second Office, to draw the Salary of the two ——.

Notification.

General Department.

The Honorable the Governor in Council is pleased to re-publish, for general information, the following Rule established by the Right Honorable the Governor General of India in Council, under date the 29th September 1841 :—

"Fort William,
Financial Department, the 29th September 1841.

"Conformably with a Rule prescribed by the Honorable the Court of Directors, the Right Honorable the Governor in Council is pleased to determine, and to notify for general information, that no Civil Servant or Military Servant holding a Civil Appointment, required by the exigencies of the Service to discharge the duties of a second office, will be entitled to draw the salary of the two offices.

By order, &c.,
W. R. MORRIS,
Secretary to Government.

Bombay Castle,
20th November 1841.

OOMEDWARS—Regarding the admission of —— to work in Public Offices. *See Government Letter, No.* 1039 *of* 1847, *under* "Candidates."

OPIUM—Inamdars have no right to grant Licenses for the sale of ——, or Liquor. *See Government Letter No.* 3577 *of* 1834, *under* "Inamdars."

* These orders were approved of by Government under date the 8th May 1840, No. 1491.

OPIUM—The right of the Proprietors of Alienated Villages to the Contract-money derived from Venders of ——.

No. 962 of 1849.

Territorial Department—Revenue.

To E. H. TOWNSEND, Esq., Revenue Commissioner S. D.

SIR,—I have laid before Government your letter, No. 361, of 23rd ultimo, with its enclosures, submitting the information called for in Mr. Secretary Goldsmid's letter of 1st February 1848, No. 674, regarding the practice which prevails in the Districts of your charge, in respect to the appropriation of the Contract-money derived from the Venders of Opium and other poisonous drugs, &c., in alienated villages, and have been directed by the Right Honorable the Governor in Council to convey to you the following observations and instructions on the subject.

2. This question originated in an application preferred by Bulwuntrao Mahadeo Ràstià, a Sirdar of the First Class, through the Agent for Sirdars in the Deccan, requesting that he might be allowed to enjoy this revenue from his Surrinjamee Villages.

3. From your report, and that of the Revenue Commissioner Northern Division, to whom the question raised by this Chieftain was referred, it appears that in all the Districts of this Presidency (except in one case in the Northern Division in which Government specially alienated the right, and one in which they recognized its alienation by the former Government), the sums paid by Contractors for the privilege of selling these Drugs in alienated villages, belong exclusively to Government; and that no demand on this account has hitherto been made, except in the present case, by the owners of any alienated village.

4. Mr. Blane, the Revenue Commissioner Northern Division, has expressed an opinion unfavorable to the existing practice. The Collectors of the Southern Division and yourself, on the other hand, are unanimously of opinion that the right of the owners of alienated villages to levy these Fees should not be acknowledged.

5. These Fees do not appear to have had any distinct existence prior to our Regulations, and the profits derivable from them are therefore to be viewed as a source of revenue created by the Acts and Regulations of Government since the villages were made over, and could not, consequently, have been included in the revenues of the villages at the time their alienation took place. His Lordship in Council does not, therefore, think that Ràstià, or the owners of any alienated villages, can claim any right to levy them.

6. I am further to observe, that if, as supposed by you, the Fees now levied for the Licenses for the sale of these drugs were, before the passing of Regulation XXI. of 1827, included in the more ancient levy of "Mohturfa," or Shop-tax, the amount which the owners of alienated villages actually derived in the shape of profit from the sale of these drugs will, of course, be made up to them in the

compensation which they will receive for the abolition of "Mohturfa"—the amount of which will be settled in accordance with their proved actual receipts; but in the absence of all proofs that these Fees themselves, or any revenue derived from them, was included in the amount of the Surrinjam now held by Ràstià at the time of its assignment, the Governor in Council is clearly of opinion, that his request, that this revenue may be made over to him, should not be complied with.

I have, &c.,
W. COURTNEY,
Acting Secretary to Government.

Bombay Castle,
13th February 1849.

OPIUM—Public Servants required to exert themselves in preventing the illicit importation or sale of ——. Rewards to be given to parties who distinguish themselves in securing Smuggled Opium.

Circular.
No. 33 of 1835.

To the COLLECTOR of ————.

SIR,—I have the honor to request your particular attention to the letters which I have, at different periods, transmitted to your office, regarding the introduction of Licenses for the sale, and the measures to be adopted to prevent the smuggling of, Opium in the Districts under your charge.

2. You will have the goodness to impress on the minds of your Assistants, Mamlutdars, and Custom Officers, the necessity of exerting themselves to prevent the illicit importation or sale of the Drug in their Talookas. Native Officers, including Umuldars, Peons, &c. should be specially rewarded when they distinguish themselves in securing smuggled Opium.

3. A strict look-out should be kept on the Roads leading to places at which Jutras and Fairs are held, and all suspicious conveyances and packages, stopped and examined; for it is at such places that a considerable quantity of Opium is clandestinely sold by Marwarrees and others.

4. Persons who take out Licenses to sell Opium are liable to obtain it from the growers, instead of supplying themselves from the Government Stores. Such Opium, when discovered—which it may be by suddenly examining the Vendors' books, and quantity of Opium in hand—is liable to confiscation. Nothing but great exertions will effectually establish the License system.

I have, &c.,
J. VIBART,
Revenue Commissioner.

Poona Districts, Camp Soopa,
Rev. Com.'s Office, 3rd January 1835.

OPIUM—Collectors required to watch against the Smuggling of ——, and to bring to the notice of Government any indications of its increase.

No. 4031 of 1846.

Territorial Department—Revenue.

To J. W. LANGFORD, Esq., Acting Revenue Commissioner N. D.

SIR,—With reference to the Notification of this date, published in a Supplement to the "Government Gazette," announcing that the *Pass Duty* on Malwa Opium will be fixed at Rs. 400 per chest from the 1st June 1847, I am directed by the Honorable the Governor in Council to request that you will call the attention of the Collectors under your control to watchfulness against smuggling, and should any indication of its increase appear, to bring it to the notice of Government without delay.

I have, &c.,
R. K. PRINGLE,
Chief Secretary to Government.

Bombay Castle,
1st December 1846.

OPIUM—The production of —— in the Company's Territories to be discouraged.

Extract, being para. 2 of a Letter from Government to the Revenue Commissioner, dated 18th June 1835, No. 1359.

"Para. 2. In reply, I am instructed to observe that, as this Government has been directed by the Supreme Government (and in their directions the Court of Directors has concurred) to afford no encouragement whatever to the growth of Opium in the territories under this Presidency, and to prevent, as far as possible, the extension of the cultivation; and as the growth of the drug is new to the Poona District, the Right Honorable the Governor in Council considers it incumbent on this Government, however detrimental it may be to the interests of individuals, to discourage it by all means in its power."

No. 479 of 1854.

Territorial Department—Revenue.

To the REVENUE COMMISSIONER N. D.

Copy of the Resolution passed by Government, under date 21st January 1854, on a Letter from the Agent for Sirdars in the Deccan, No. 743, dated the 29th December 1853, submitting translation of a letter addressed to him by Rughoonathrow Vittul, a Sirdar of the 1st Class.

The Sirdar to be informed that the Government of India purpose passing an Act, authorising this Government to prevent the cultivation of the Poppy; that until this Act is passed, neither Government nor the Collector has the power to prevent the cultivation of the plant in his villages; but that in the meanwhile, Government will neither purchase the Opium produced, nor forego the duty thereon, and that, in

the event of the duty not being paid, the Collector will be required to enforce the provisions of the existing Law, it being the earnest desire of Government to discourage the production of the Drug in their own territories. See proceedings ending with Government Resolution No. 6715, of 18th October 1852.

H. E. GOLDSMID,
Secretary to Government.

No. 1586 of 1852.

From J. N. ROSE, Esq., Acting Collector, Ahmednuggur,
To W. COURTNEY, Esq., Revenue Commissioner S. D., Poona.

SIR,—I have the honor of requesting to be favored with your instructions, regarding the disposal of 15 seers and 59 tolas of Opium belonging to Rughoonathrow Vittul, Vinchoorkur, which has been kept in deposit in this Office for two years.

2. 21 seers and 40 tolas weight of Opium was produced in villages held by the Vinchoorkur, and the Collector took possession of it, and sent a sample to Khandesh, in order to ascertain its quality and value. The Collector of Khandesh reported that the Opium was of a middling quality, and worth Rs. 4¼ per seer of 80 tolas. Duty, at the rate of Rs. 12 per Surat seer, according to the provisions of Section I. Chapter I. of Regulation XXI. of 1827, was demanded upon it, which the Vinchoorkur refused to pay, and the Opium has since remained in deposit. The quantity has been reduced by wastage from 21½ seers to 15 seers 59 tolas. The owner is willing to sell it to Government at the rate of Rs. 4¼ per seer of 80 tolas, and I have to request your permission to purchase it on account of Government at that rate.

I have, &c.,
J. N. ROSE,
Acting Collector.

Ahmednuggur Col.'s Office,
31st August 1852.

Acting Opium Agent's Report.

No. 197 of 1852.

Territorial Department—Revenue.

The Vinchoorkur having cultivated Opium in his Rent-Free Villages, and not having paid the prescribed duty of Rs. 12 per Surat seer of 37½ tolas, the Collector took possession of the Opium, and the Vinchoorkur prays that Government will purchase it from him at the rate of Rs. 4¼ per Indian seer of 80 tolas.

Regulation XXI. of 1827, Section I. Clause 1st.

Indian Seers.	Tolas.
15	59

2. I respectfully beg to refer to my letter No. 180, dated the 27th ultimo, on the subject of Khandesh Opium, and in the event of the opinion which I therein ventured to give on the general subject being concurred in by Government, I

would respectfully beg to suggest that the Vinchoorkur's request be *not* complied with.

3. The Opium in store is sufficient to meet the demands for the next eleven years, and hence no further supply is required. If the Vinchookur's request is complied with, others will grow Opium, and will, with equal justice, call upon Government to purchase it. We are not compelled to purchase the Opium in question ; and although in some few instances Opium may have been purchased from producers, during the last five years at least, none has been so purchased in the Ahmednuggur Collectorate.

4. For the above reasons, to which might be added others also, I would respectfully beg to suggest that the Vinchoorkur be informed that Government decline to purchase the Opium in question; that the Opium will be delivered up to him on his paying the duty leviable thereon, viz. Rs. 12 per Surat seer of 37½ tolas, and that in the event of his not paying the said duty, the Opium will be destroyed, and dealt with according to Law.

Regulation XXI. of 1827, Section I. Clause 1st.
Regulation XXI. of 1827, Section II. Clause 3rd.

5. The duty leviable far exceeds the value of the Opium, and, therefore in the event of Government being inclined to deal leniently on the present occasion with the Vinchoorkur, instead of destroying the Opium, he might, as an act of favor, be allowed to take it to the Nizam's Territory and sell it there.

R. SPOONER,
Acting Opium Agent.

Bombay, Opium Agent's Office,
14th September 1852.

No. 6715 of 1852.

Territorial Department—Revenue.

Copy of the Resolution passed by Government, under date 18th October 1852, on a Memorandum by the Revenue Commissioner S. D., No. 2145, dated 2nd September 1852, on a Letter from the Acting Collector of Ahmednuggur, No. 1586, dated 31st August 1852, requesting authority to purchase, on account of Government, 15 seers and 59 tolas of Opium, from Rughoonathrow Vittul, Vinchoorkur, at the rate of Rs. 4½ per seer of 80 tolas, reported on by the Acting Opium Agent, Bombay, No. 197, of 14th September 1852.*

* Communnicated to the Revenue Commissioner Southern Division, and the Acting Opium Agent Bombay.

It is the object of Government to discourage the growth of Opium in the Ahmednuggur Collectorate. The duty prescribed by law must be paid by the growers, or the Opium be disposed of by the Collector according to Law.

A. MALET,
Chief Secretary to Government.

ORDERS—In cases of importance, Verbal —— are never to be given. *See Extract of Government Letter No. 1372 of 1844, under* "Collectors or Assistants."

P

PACKETS.—Envelopes to Official Letters and Documents to be secured at one end by Wafers.

Circular.

No. 1934 of 1853.

To all COLLECTORS and SUPERINTENDENTS of SURVEY.

SIR,—As the Envelopes to Official Letters and Documents are sometimes so pasted together that the extraction of the contents is attended with risk of tearing them, I have the honor to request that one end of the Envelopes may in future be secured by wafers, &c.

I have, &c.,

Poona, Rev, Com.'s Office,
2nd July 1853.

E. G. FAWCETT,
Revenue Commissioner N. D.

PACKETS.—Voluminous papers, either in the English or Native Departments, transmitted by post, are to be enclosed in Dungree cloth-covers.

Circular.

No. 831 of 1854.

From E. G. FAWCETT, Esq., Revenue Commissioner N. D.,

To all the COLLECTORS of LAND REVENUE, SUPERINTENDENTS of REVENUE SURVEYS, Tanna and Goojràth, and the SETTLEMENT OFFICER in Goojràth.

SIR,—Several instances having recently occurred in which packets have been received with covers entirely destroyed, or so far so as to expose their contents to liability of being lost or abstracted, I have the honor to request that, for the future, whenever you may have occasion to forward voluminous papers, either in the English or Native Departments, you will have the goodness not to trust to paper covers, but to enclose them in Dungree cloth.

I have, &c.,

Rev. Com.'s Office, Camp Dhoolia,
20th March 1854.

E. G. FAWCETT,
Revenue Commissioner N. D.

PALNOOK privileges to cease with the transfer of lands from the possession of persons to whom they were granted.

Circular.

No. 963 of 1844.

To all the COLLECTORS.

SIR,—It having been decided by the Honorable the Governor in Council on a petition from certain persons holding lands at favorable rates of assessment under

the denomination of "Palnook," in the Poona Collectorate, that this kind of immunity, being personal, must cease with a transfer of the land from the possession of the person to whom it was granted. I beg you will bear this decision in mind in the event of any analogous cases coming before you in your Collectorate.

I have, &c.,
R. K. PRINGLE,
Revenue Commissioner N D.

Poona, Rev. Com.'s Office,
8th August 1844.

PASSES—Military Officers escorting Public Property, to be furnished with —— by the Despatching Authorities.

Circular.

No. 2654 of 1843,

Territorial Department—Revenue.

To the REVENUE COMMISSIONER S. D.

SIR,—The Honorable the Governor in Council is pleased to establish it as a rule, that when a Military Officer is employed on the duty of escorting public property from one place to another, he shall be furnished by the Department from which he receives charge of such property, with a Pass, descriptive of the same, to be produced, if required, before the authorities, on the route, entrusted with the collections of the customs or other Government revenue; and, further, that the Military Officer employed on the escort duty shall also permit those authorities to satisfy themselves (by an examination of the articles stated to be covered by the Pass), that nothing but Government property is conveyed under its protection, and that there is no infringement of the Customs Regulations or Rules established for the security of the Government revenue.

I have, &c.,
L. R. REID,
Chief Secretary to Government.

Bombay Castle,
12th August 1843.

PASTURAGE—Orders regarding the disposal of Land as —— for Cattle, &c.

Extract, being paras. 1 *to* 8 *of Government Letter No.* 3621, *of* 16*th October* 1844, *to the Revenue Commissioner S. D.*

"Para. 1. I am directed by the Honorable the Governor in Council to acknowledge the receipt of your letter No. 1165, dated the 6th ultimo, submitting, with your observations thereon, the opinions of the Superintendents of the several Revenue Surveys on the subject of the right of villages to common pasture-ground for their cattle.

"2. In reply, I am directed to inform you, that notwithstanding the right of Government to levy an assessment on all land, the Honorable the Governor in Council is of opinion that care should be taken that no encroachments are made upon what, in any village, has been the 'Gàeeràn' from time immemorial, unless it should be found to be excessive in quantity, and far beyond the wants of the resident population. The 'Gàeeràn' is generally, if not always, a certain portion of unarable waste.

"3. The claim of the villagers to any portion of the arable waste for free pasturage, appears to the Governor in Council quite untenable, nor is there any necessity for admitting such a claim, since, from the great reduction of the rates which the Survey has occasioned, the Ryuts, if requiring pasturage beyond that afforded by the established 'Gàeeràn,' can provide it by paying the assessment of such land, or by purchasing the right of occupancy when the arable waste may be sold. His Honor in Council is therefore averse to any proportionate allotment of the arable waste for common pasturage.

"4. Common pasturage-ground can never, I am desired to observe, be so productive as private pasturage-ground; for each Ryut, as is observed by Lieutenant Nash in para. 11 of his letter, No. 212, dated 1st August last, is anxious to be beforehand with his neighbour, and the village herds are driven to the common ground before the grass has arrived at maturity, and are suffered to trample down and waste far more forage than they can possibly consume.

"5. In some villages all the arable waste is under the plough. In them, therefore, any allotment of such waste, for free pasturage, would necessitate the abandonment of the assessment on land which has hitherto paid it. It would be unjust to such villages, were any general scheme of free-pasturage-allotment introduced, to exclude it from a privilege which its neighbours were enjoying.

"6. Captain Davidson, in para. 4 of his letter No. 26, dated the 27th August last, seems to advocate the right of the Ryut to free pasturage for all cattle employed in agriculture. His argument does not seem to His Honor in Council conclusive. The Ryut has no more right to expect that Government is to provide him with free pasturage, than to demand that the land producing grain for the consumption of his cattle should be exempt from assessment.

"7. Without doubt the most economical and best mode of providing forage for agricultural stock, would be for the Ryuts to appropriate portions of their holdings to the culture of grasses and fodder, as is done in other countries. A system by which grass might enter into the rotation of crops in arable land, might be of much benefit to the agriculture of the country.

"8. In the disposal of the arable waste, for pasturage, every preference should, I am desired to inform you, be given to the Ryuts of the village over strangers. This waste should be let out by fields, and first offered to the Ryuts on low and reasonable terms, and in no case should strangers, and more particularly speculating

contractors, be admitted to compete except where the Ryuts may, from the 'Gàeeràn' from their own holdings, or from previous purchases of Waste, be fully provided."

No. 1422 of 1848.

Territorial Department—Revenue.

To H. E. Goldsmid, Esq., Secretary to Government.

Sir,—With reference to para. 2 of the Government letter of the 14th July, No. 2710, I have the honor to transmit a letter dated 12th January last, from the Collector of Poona, with enclosures, and to state, that as the Government Orders of 16th October 1844, were especially made for Surveyed Districts, I agree with the Collector in thinking that they should not be introduced into the Mawul Talooka till it is assessed.

2. With a subsequent report, dated 29th March, the Collector forwards a letter from his First Assistant, Mr. Davidson. The order passed by the Collector in 1832 (para. 3 of the Collector's Report) does not appear to have been sanctioned by higher authority; and unless care is taken to preserve to the villagers a full supply for their wants, such as are specified in the Collector's Report, the system will be less favourable to the villagers than the Rules of 1844.

3. From what the same Officer states in his report, it is evident that the Government Orders of 1844 have been wrongly acted on in Mawul; this the Collector will doubtlessly correct. After the wants of the villagers have been fully supplied, I see no objection to allowing the highest bidder, be he who he may, to purchase the remainder.

I have, &c.
E. H. Townsend,
Revenue Commissioner S. D.

Rutnageeree Districts, Rev. Com.'s Camp,
Gotè, 28th April 1848.

No. 3782 of 1848.

Territorial Department—Revenue.

To D. A. Blane, Esq., Revenue Commissioner S. D.

Sir,—I have been directed to acknowledge the receipt of Mr. Townsend's letter No. 1422, dated the 28th April last, with enclosures, and in transmitting to you the accompanying copies of the documents noted in the margin, having reference to the sale of waste lands in "Mawullee" or "Dàng" Districts, to observe that, under the opinions therein given, the Right Honorable the Governor in Council considers the Rules of 1844, should be applied to all Districts, hilly or plain, surveyed or unsurveyed, whenever

From Superintendent Revenue Survey and Assessment Southern Mahratta Country, dated 7th June 1848, No. 122.
From Collector of Ahmednuggur, dated 12th June 1848, forwarding one from his First Assistant, Mr. Tytler.

it has been ascertained by personal inquiry that the assessment on the rice and dry crop lands is sufficiently moderate to leave their cultivation profitable.

2. The waste lands, however, in the "Mawullee" Districts, should be sold in the Districts—not at the Hoozoor, in lots—not in the lump, and every indulgence permissible under the Rules should be extended to the Ryuts.

3. In cases wherein the assessment on the cultivated lands is excessive, the practice of assigning a portion of the waste to the Village as free common for village purposes, should not be interfered with until the Districts in question can be surveyed, and a more proper adjustment introduced.

I have, &c.,
J. G. LUMSDEN,
Secretary to Government.

Bombay Castle,
7th July 1848.

No. 1483 of 1851.

To R. SPOONER, Esq., Collector of Ahmednuggur.

SIR,—In reply to your letter of the 28th ultimo, No. 4241, I have the honor to intimate my concurrence in the opinion therein expressed, that, under the 14th, 15th, and 16th Rules, all Waste Lands, whether arable or unarable, in surveyed Districts, should be sold at the beginning of the season. With regard to unsurveyed Districts, the course proposed in your 4th para. should undoubtedly be followed. A copy of this correspondence will be, this day, forwarded to Government for approval.

I have, &c.,
E. H. TOWNSEND,
Revenue Commissioner, S. D.

Poona Districts, Rev. Com.'s Camp,
Ghorè, 20th March 1851.

No. 3641 of 1851.

Territorial Department—Revenue.

To E. H. TOWNSEND, Esq., Revenue Commissioner S. D.

SIR,—With reference to your memorandum No. 1484, dated the 20th ultimo, with accompaniments, I have been directed to inform you, that the Right Honorable the Governor in Council approves of the instructions given in your letter No. 1483, of the same date, to the Collector of Ahmednuggur, relative to the Farm of grazing-tax in unsurveyed Districts.

I have, &c.,
H. E. GOLDSMID,
Secretary to Government.

Bombay Castle,
3rd April 1851.

Extract paras. 39 *to* 42 *of a Despatch from the Honorable the Court of Directors, No.* 1, *dated the* 3*rd January* 1851.

"Para. 39. The only point reported in these paras. which requires notice, is that which has reference to your proceedings regarding waste land required by the Ryuts for purposes of pasturage.

Letter dated 6th January (No. 2) 1849, p. 305 and 306,
Do. 5th June (No. 83) 1849 p. 225 to 241,
Do. 24th July (No. 107) 1849 p. 136,
Do. 11th February (No. 8) 1850, p. 131 to 134,
Revenue Survey and Assessment.

40. The right of the villagers to common pasturage ground was made the subject of special orders by your Government in 1844. It was then determined that waste land should be considered as divided into two denominations; Gàeeràn' or uncultivable waste, and land the natural capabilities of which were not suited to agricultural operations. Land which had, from time immemorial, belonged to the former description, was to be continued free of charge, to meet the pastoral requirements of the community. Arable land was to be considered at the disposal of Government, and, with reference to the reductions which had recently been made in the Revenue rates, was to be obtainable by such Ryuts as required pasturage beyond that afforded by the 'Gàeeràn,' either by purchase or lease.

"41. These orders contain the following Clause, as we find it in the letter of Mr. Townsend, Secretary to Government, dated 16th October 1844:—

> 'In the disposal of the arable waste for pasturage, every preference should, I am desired to inform you, be given to the Ryuts of the village over strangers. This waste should be let out by fields, and first offered to the Ryuts on low and reasonable terms; and in no case should strangers, and more particularly speculative contractors, be admitted to compete, except where the Ryuts may, from the 'Gàeeràn' from their own holdings, or from previous purchase of waste, be fully provided.'

"42. These orders, of which the spirit and intention were essentially just and liberal, have been misinterpreted, and the provisions above referred to, in some degree violated. You have therefore, very properly ordered the Local Authorities to be guided by these orders in disposing of arable waste lands, and have introduced some slight additions for the protection of the interests of Ryuts. We particularly desire that the provisions of the passage which we have quoted, may be strictly adhered to."

PATELLS—The Offices of Revenue and Police —— to be, as a general rule, held by the same person. *See Government Letter No.* 2907 *of* 27*th April* 1852, *under* "Village Hereditary Officers."

PATELLS—Nominations of Officiating —— must be unanimously made by the Sharers, &c. *See Government Letter, No.* 383 *of* 1849, *under* "District Hereditary Officers."

PATELLS.—The sole proprietor of a Wuttun is considered an "*Officiating*" Officer within the meaning of Act XI. of 1843. *See Government Letter No.* 3129 *of* 1848, *under the head of* "District Hereditary Officers."

PATELLS—Officiating —— *not* appointed under Act XI. of 1843, are, nevertheless, subject to the Provisions of that Act. *See Extract of the Government Letter No.* 288 *of* 20*th May* 1848; *Extract of the Proceedings of the Sudder Adawlut, dated* 5*th February* 1849, *and Government Letter No.* 3434 *of* 1850, *under* "District Hereditary Officers."

PATELLS—All appointments of —— requiring Government confirmation, to be submitted through the Revenue Commissioner. *See Extract of Government Letter No.* 2478 *of* 1846, *under* "Village Hereditary Officers;" *and Government Letter No.* 6487 *of* 1850, *under* "District Hereditary Officers."

PATELLS—Nominations of Officiating —— when, and how, to be reported to Government. *See Government Letter No* 6487 *of* 1850, *under* "District Hereditary Officers."

PATELLS—All that Government have to sanction in cases where —— are appointed by the Shareholders, is the term of their Office. Appointments of such Officers to be made *for life* if possible. *See Extract of the Government Letters No.* 92 *of* 1848, *No.* 6178 *of* 1848, *the Government Letter No.* 5188 *of* 1849, *and Extract of the Government Letter No.* 5491 *of* 1850 *under* "District Hereditary Officers."

PATELLS—Orders relative to interference by Government in the nomination and remuneration of *Officiating Karkoons*, by —— and other Village and District Officers. *See Government Letter No.* 8679 *of* 1850, *and Memorandum of the Revenue Commissioner S. D. No.* 1725 *of* 1853, *under* "District Hereditary Officers."

PATELLS—Claims set up by —— to officiate in Alienated Villages, and being objected to by the Alienee, to be specially reported to Government. *See Government Letter No.* 8947 *of* 1851, *under* "District Hereditary Officers."

PATELLS—Instructions regarding the appointment of Officiating —— in cases where claims to serve in *rotation* are put in. *See Government Letter No.* 1376 *of* 1851, *and No.* 4893 *of* 1852, *under* "District Hereditary Officers."

PATELLS.—Orders as to the degree of interference that should be exercised by local officers, in cases in which succession to serve in rotation is recognised by decrees of Civil Court. *See Government Resolution No.* 4555 *of* 1853, *under* "District Hereditary Officers."

PATELLS.—In applying Act XI. of 1843 to the appointment of District and Village Officers who are *not Hereditary*, the selection is not to be confined to the Family of the last incumbent. *See Government Letter No.* 6181 *of* 1850, *&c.*, *under* "District Hereditary Officers."

PATELLS—Timely provision to be made for filling up vacancies caused by —— going out of Office. *See the Circular from the Revenue Commissioner S. D. No.* 331 *of* 1853, *under* "District Hereditary Officers."

PATELLS—Relative to the recognition by Government of ancient subdivisions of the Wuttuns of ——. *See Government Letters Nos.* 3073 *of* 1848 *and* 1640 *of* 1850, *under* "Wuttuns."

PATELLS.—Orders regarding the Consolidation of the Wuttuns of District and Village Hereditary Officers, and the Pay of their Deputies, &c. *See Government Letter No.* 1207 *of* 1850, *under* "Wuttuns."

PATELLS—Officiating —— strictly prohibited from assigning any portion of the Cash Allowance paid them by Government to their principals or Co-sharers. *See the Proclamation approved of by Government on* 28*th September* 1853, *under* "Village Hereditary Officers."

PATELLS.—Orders relative to the payment of the Allowances of District and Village Hereditary Officers holding Lands, the balance due to them after crediting to Government the authorised sums due by them. *See Extract of the Government Letter No.* 1866 *of* 1850, *under* "Umuls."

PATELLS—The entry in the Government Accounts of the names of Sub-sharers in Wuttuns objected to. *See Government Resolution No.* 4465 *of* 1853, *under* "District Hereditary Officers."

PATELLS—Officiating —— must be considered to "vacate" Office on the expiration of the period for which they may have been appointed. *See Nuggur Collector's Letter No.* 781 *of* 1854, *and the Revenue Commissioner's No.* 2348 *of* 1854, *under* "Village Hereditary Officers."

PATELLS—In all cases instituted against —— the terms of Act XI. of 1843 are to be carefully attended to. *See Extract of Government Letter No.* 3103 *of* 1847, *under* "District Hereditary Officers."

PATELLS—Form of the "Record of Proceedings" to be handed up in reporting the dismissal of —— for confirmation by Government. *See Government Resolution No.* 2944 *of* 1854, *under* "Dismissals."

PATELLS—Dismissals of Goomastas appointed by —— or other Village or District Officers require the sanction of Government. *See Extract of the Government Resolution No.* 2621 *of* 1852, *under* "District Hereditary Officers."

PATELLS—The punishment of —— for delinquencies to be briefly notified to the Patells generally of the Collectorate. *See Extracts from Government Letters No.* 2065 *and* 3899 *of* 1838, *under* "Village Hereditary Officers."

PATELLS—Registers to be kept of all —— and other Village and District Officers found guilty of criminal misconduct in their Official Duties, &c. *See Extract of Government Letter No.* 55 *of* 1839, *under* "District Hereditary Officers."

PATELLS—The light in which the Wuttuns of —— should be viewed by Public Officers. Goomastas are not to be employed unless under particular circumstances, &c. *See Extract of the Government Letter No.* 2400 *of* 1848, *under* "District Hereditary Officers."

PATELLS—Question of the recognition of Muttadars —— to Hereditary Offices. *See Extract paras.* 2 *to* 5 *of Revenue Commissioner's Memorandum No.* 1050 *of* 11*th April* 1854, *under* "Village Officers."

PATELLS.—The practice of Mortgagees collecting the Hucks of District and Village Hereditary Officers direct, and of living at the expense of the Villagers, strictly prohibited. *See Revenue Commissioner's Circular No* 712 *of* 1832, *under* "Hucks."

PATELLS—As to how far mortgaged portions of the Wuttuns of —— are available for remunerating the Officiating Members. *See Government Resolution No.* 6892 *of* 1853, *under* "Wuttuns."

PATELLS, whether officiating or not, cannot withhold Records or Papers having reference to their Wuttuns or service. *See Extract of the Government Letter No.* 717 *of* 1844, *under* "Records."

PATELLS.—Collectors to enforce the right of escheat in all cases of Hereditary Offices reverting through failure of Male Heirs. *See the Inam Commissioner's Report No.* 1634, *and the Revenue Survey Commissioner's Report No.* 66 *of* 1853, *under* "District Hereditary Offices."

PATELLS liable to the Provisions of Clause 2, Section XI. of Regulation XVI. of 1827, as regards the making use of Public Money: but they are not prevented from carrying on Commercial Transactions.

No. 8960 of 1851.

Territorial Department—Revenue

To E. G. Fawcett, Esq., Revenue Commissioner S. D.

Sir,—With reference to your memorandum No. 3017, dated the 15th ultimo, submitting a letter from the Collector of Poona, and recommending the dismissal of Muhiputtee bin Bhickajee, Borkur, Patell of "Poor," in the Poorundhur Talooka, I have been directed by the Right Honorable the Governor in Council to observe that, under Section I. of Regulation V. of 1833, a Village Patell becomes liable to the provisions of Clause 2, Section XI. Regulation XVI. of 1827, in so far as regards the making use of Public Money.

2. But he is not prevented from carrying on Commercial Transactions.

3. His Lordship in Council sees no objection to Patells lending their private money to the Ryuts of their Villages, or of other Villages; and if they are prohibited from engaging in any "Commercial Transactions," Government must pay them much more highly than the state of their treasuries will admit.

4. Abuse of authority to ensure payment of a debt, and dereliction of duty as a servant of Government, with a view of enabling a debtor to obtain the means of paying his debt, can always be punished.

5. The Governor in Council cannot sanction the dismission of the Patell alluded to by you. The Sudder Fouzdaree Adawlut have been requested to call for and review the proceedings, and take such measures as to them may appear fit, with regard to the conviction recorded by the Honorable Mr. Hobart, the Third Assistant Magistrate of Poona.

I have, &c.,
A. MALET,
Chief Secretary to Government.

Bombay Castle,
8th September 1851.

PATELLS.—The Patell, Koolkurnee, or Mahar of the Village always to attend Sales of Land by decrees of Courts. *See Government Letter No. 2342 of 1841, under* "Sales."

PATELLS.—Mamlutdars and Mahalkurrees may grant Leave of Absence to District or Village Hereditary Officers for fourteen days, without reference to Head Quarters (unless the Collector or Assistant be in the immediate neighbourhood), reporting the circumstance to the Officer in charge of the District. *See the Government Letter No. 7724 of 1850, under* "District Hereditary Officers."

PENSIONS.—A *continuous* service of twenty years must be performed to entitle an Uncovenanted Servant to the benefit of the Pension Rules.

Circular.

No. 852 of 1854.

Territorial Department—Finance.

To the REVENUE COMMISSIONER N. D.

SIR,—I am directed by the Right Honorable the Governor in Council to subjoin, for your information and guidance, copy of a communication from the Government of India, dated the 11th September 1854, No. 3337.

I have, &c.,
C. E. F. TYTLER,
Offg. Secretary to Government.

Bombay Castle,
18th October 1854.

Extract from the Proceedings of the Most Noble the Governor General of India in Council in the Financial Department, under date 11th September 1854.

Read again the Despatch from the Honorable the Court of Directors to the address of the Government of Fort St. George, No. 5 of 1852, dated the 3rd March, paras. 7 to 9, ruling that a continuous service must be performed to entitle an Uncovenanted Servant to the benefit of the Pension Rules.

7. We have always held it to be a principle of the Pension Rules for the Uncovenanted Servants of Government that a continuous service of twenty years must be performed to entitle a party to their benefit; and though the Rules do not explicitly declare it, yet this interpretation is certainly implied, inasmuch as the Pensions are ordered to be calculated upon the average pay of the five years previous to retirement.

Letter dated 11th November 1851, No. 9. Requesting instructions relative to the principle involved in an application for a Pension submitted by E. D. Rozario, a Clerk in the Commissary General's Office.

8. Mr. Rozario, when discharged from his employment in 1840, had not performed the required service. He continued out of employ for eight years, until the year 1848, when he was re-employed for two years. Although the two periods of his service together make up twenty years, we cannot admit him to Pension under the Rules; but in consideration of his having served for eighteen continuous years, we authorise you to grant him a donation of twelve months' salary.

9. We do not think that Mr. Rozario should have been re-employed at all, for his health was evidently not permanently restored when he was permitted to re-enter the service of your Government. It is obviously a most objectionable practice, and one which we must altogether discountenance, to allow men who are incapacitated from rendering efficient service to continue to hold office merely with the view of giving them a claim to retiring pensions.*

ORDER.—Ordered, that copies of the above paras. be forwarded for the information and guidance of the Government of Bengal, Bombay, and the North-Western Provinces, and the Governor of the Straits' Settlements, as also to the Departments noted in the margin.

Foreign Department.
Home Department.
Military Department.

Ordered, also, that a transcript of the same paras. be furnished to the Bengal Civil Auditor, for his information and guidance.

(A true extract)
C. H. LUSHINGTON,
Offg. Secy. to the Govt. of India.

No. 3337.

To the CHIEF SECRETARY to the GOVERNMENT of BOMBAY.

(True copy)
C. E. F. TYTLER,
Offg. Secretary to Government.

PENSIONS—The period of service passed in a grade in which Candidates are not eligible to —— not reckoned as part of the prescribed term of service. Meritorious cases will be considered specially.

* This last clause was communicated to the Collectors in the Government Circular, No. 403, of 21st May 1852 also.

Circular.

No. 3313 of 1849.

Territorial Department—Revenue.

To A. N. Shaw, Esq., Revenue Commissioner N. D.

Sir,—I have been directed by the Right Honorable the Governor in Council to transmit herewith, for your information and guidance, copy of a Resolution passed by the Right Honorable the Governor General of India in Council on the 16th March 1842, relative to the claims of parties who have not served the full period prescribed by the Rules in grades of service entitling them to Pension.

I have, &c.;
W. Courtney,
Acting Secy. to Government.

Bombay Castle,
15th May 1849.

Resolution.—The Right Honorable the Governor General in Council is pleased to resolve that the period of service passed in a grade in which the Candidate is not eligible to a Pension, cannot be reckoned as part of the prescribed term of service qualifying for a Pension in a grade in which he would be eligible under the Rules of the 4th January 1831. Meritorious cases will be considered specially, where the service of the Candidate has been such as to entitle him to favor, though he may not, in grades entitled to Pension, have completed the prescribed term of service.

(True copy)
W. Courtney,
Acting Secy. to Government.

PENSIONS—The time served as a "*Tullatee*" is in future to be excluded from the calculation of the period of service rendered by persons claiming —— under the General Rules.

No. 5074 of 1850.

Territorial Department—Revenue.

To W. Simson, Esq., Civil Auditor.

Sir,—With reference to Mr. Acting Secretary Courtney's letter to the address of the Collector of Surat, No. 7784, dated the 16th December 1848, a copy of which was furnished to your Department, by endorsement, on the same date, and to your letter No. 631, dated the 16th November 1849, I have been directed by the Right Honorable the Governor in Council to inform you, that the practice mentioned by you in para. 4 of the latter document is in conformity with the instructions conveyed to you from the General Department, under date the 10th May 1849, consequent on the Resolution of the Government of India, and that, therefore, the time served as Tullatee is in future to be excluded from the calculation of the period

of service rendered by persons retiring from the service when holding appointments which render them eligible for Pensions under the general rules.*

I have, &c.,
A. MALET,
Chief Secretary to Government.

Bombay Castle,
28th June 1850.

PENSIONS—Orders prescribing a New Form of Roll to accompany Applications for ——.

Circular.

No. 447 of 1855.

Territorial Department—Finance.

To the REVENUE COMMISSIONER S. D.

SIR,—With reference to the Government Circulars quoted in the margin, I am directed by the Right Honorable the Governor in Council to forward, for your information and guidance, extract para. 2 from a Resolution dated 25th April 1855, by the Honorable the President of the Council of India in Council.

No. 852, dated 18th October 1854.
No. 276, dated 4th April 1855.

I have, &c.,
W. HART,
Secretary to Government.

Bombay Castle,
31st May 1855.

Extract para. 2 from a Resolution, dated 25th April 1855, by the Honorable the President of the Council of India in Council.

" Para. 2. The Military Auditor General having reported that he has not the means of verifying the continuous service, in an eligible grade, of Assistants in the various public offices in the Military Department, including the Departments of Stud, Public Works, and Commissariat, the Honorable the President in Council is pleased to rule that henceforth all Officers, Civil as well as Military, shall, in submitting applications for Pension on behalf of Uncovenanted Servants, state, after an inspection of their Establishment Roll, whether the service of each of the applicants was continuous or not; and, if not, for how long he was unemployed, and under what circumstances. His Honor in Council further desires, that the Form of the Pension Roll be amended (as per annexed Form), so as to give the requisite information in additional columns in every instance."

* See also Government Letter No. 7785A. of 16th December 1848, under "*Tullatees*."

(AMENDED FORM.)

REGISTER *of an Application for a Superannuation Pension from the Establishment of* _____ *preferred* _____ *under the Rules passed by Government under date* _____.

Name of the Person by whom the Pension is applied for, with the name of his Father.	Number on the Establishment.	Identification of Applicant's person.	Size.		Age of Applicant at the time of appointment.			Religion, Caste, or Tribe.	Where residing.			Present Employment.	Total period of Service.		Applicant's service continuous or not.	How long unemployed, and under what circumstances.	Date of Application to Government.	Average salary or authorised Official Allowance per mensem for the Five Years preceding the date of Application.	Salary or authorised Official Allowance per mensem at the time of Application.	Abstract of the grounds of Application.	Remarks by the Head of Office.	Proposed Amount of Pension per mensem.	Treasury at which the party, if pensioned, wishes to draw his Pension.	Orders of Government.
		Indelible marks and other signs, or natural defects.	Feet.	Inches.	Years.	Months.	Days.		Province.	Purgunna.	Village.		Years.	Months.										

(Signature of the Head of the Office.)

N. B.—It must be understood that this Register is not to supersede the detailed information required by the Pension Rules.

(True extract and copy)

W. HART,
Secretary to Government.

PENSIONS—Applications for —— to be preferred by the Collector, *not* by the Assistant at the Hoozoor.

Extract para. 2 of a Government Letter to the Collector of Khandesh, dated 30th July 1851, No. 7815.

"Para. 2. Applications for Pension, I am directed to observe, should be preferred by you, not by the Assistant at the Hoozoor."

PENSIONS—Invaliding Certificates qualifying for —— how to be obtained.

Circular.

No. 1337 of 1849.

Territorial Department—Revenue.

To D. A. BLANE, Esq., Revenue Commissioner N. D.

SIR,—I have been directed by the Right Honorable the Governor in Council to transmit herewith, for your information and guidance, copies of a letter from the Secretary to the Government of India, No. 1828, of the 30th December last, and of the Resolution accompanying it, passed by the Honorable the President in Council, on the subject of applications for Superannuation Pensions.

I have, &c.,
W. COURTNEY,
Acting Secretary to Government.

Bombay Castle,
21st February 1840.

No. 1828.

Financial Department.

To the SECRETARY to the GOVERNMENT of BOMBAY.

SIR,—I am directed to transmit to you, for the information and guidance of the Right Honorable the Governor in Council, the accompanying copy of a Resolution this day passed by the President in Council.

I have, &c.,
J. DORIN,
Secretary to the Government of India.

Fort William,
30th December 1848.

Fort William,
Financial Department,
30th December 1848.

Read an Office memo. from the Under-Secretary to the Government of India, in the Home Department, No. 996, dated the 11th ultimo, transferring in original a correspondence with the Medical Board at this Presidency and with the Government of Bengal, North-Western Provinces, Fort St. George, and Bombay, on the

subject of Rule X. of the Uncovenanted Service Pension Regulations of the 4th January 1831, and a minute thereon by the Right Honorable the Governor General of India, dated the 10th April 1848, concurred in by the Members of Government, together with subsequent correspondence on the same subject with the Medical Board at Calcutta, with a view to such modification being made in that Rule as shall render it incumbent on all applicants for Superannuation Pensions under the Pension Regulations to appear before a Medical Committee for the purpose of having their incapacity (mental or physical) for further public service certified by such Committee.

Read again the Resolution passed in the Territorial Department (Financial), by the Vice-President in Council, on the 4th January 1831, laying down rules relative to the grant of Superannuation Pensions to subordinate Officers in the Civil Department.

Resolution.—It appears to the President in Council upon a careful consideration of the above papers, that it is desirable to adopt, with respect to applications for Civil Pensions, precautions similar to those which are in force in the Military Service, as far as may be practicable without serious inconvenience.

2. It has been brought to the notice of Government that cases may arise in which the certificate of a single Medical Officer cannot be held to be conclusive; and His Honor in Council is pleased accordingly to determine with a view to check the existing practice, in the Civil Department of Government, of granting Pensions upon the Certificate of a single Medical Officer, that in all applications for Civil Pensions under those Regulations, whether to the Government of India, or to the Local Governments, it shall be optional with those Governments to require that the applicants shall appear either before the Medical Board at the respective Presidencies, or before a Military Invaliding Committee, whenever the station or district, in which the applicant for pension may be serving at the time of application, shall be within a moderate distance of a station at which a Military Invaliding Committee is periodically assembled.

3. With regard to applicants who are resident at an inconvenient distance from any Military station where an Invaliding Committee is periodically assembled, the President in Council is pleased to resolve that the several Governments shall be empowered, whenever occasion may require it, to assemble at any conveniently situated Civil Station a Special Invaliding Committee, by deputing from neighbouring districts such number of Medical Officers as may be required in order to make up a Committee of at least three Officers at the station which may be selected for the purpose.

4. It is to be understood, however, that it shall be discretional with the several Governments to accept the certificate of a single Medical Officer in cases in which they shall see fit to do so.

Ordered, that copies of the foregoing Resolution be communicated to the Departments noted in the margin, and to the Governments of Bengal, North-Western Provinces, Fort St. George, and Bombay, for information and guidance.

Home Department.
Foreign Department.
Military Department.

(A true copy)
J. DORIN,
Secy. to the Government of India.

(True copies)
W. COURTNEY,
Acting Secretary to Government.

PENSIONS—Applications for the transfer of —— from one Treasury to another, to be put under cover to the Civil Auditor, as in the case of applications for the grant of Pensions.

No. 325 of 1852.

Territorial Department—Finance.

Resolution on a Letter from the Collector of Ahmednuggur, No. 500, *dated the* 27*th March* 1852, *soliciting permission to transfer the Pension from "Warden's Official Fund," of Rupees forty-five and annas four per mensem, of Parwutteebaee, widow of Balcrishtn Muccoond, from Ahmednuggur to Bombay.*

Allowed; unless the Civil Auditor is aware of any objection.

2. In future, applications for transfers of Pensions from one Treasury to another should be put under cover to the Civil Auditor, as applications for grants of Pensions are under the Secretary's memo. of 4th November 1850, No. 8195.

For the Revenue Commissioner Northern Division, for communication to the Collectors in his Division.

H. E. GOLDSMID,
Secretary to Government.

Bombay Castle,
15th April 1852.

PENSIONS—Applications for permission to receive payment of —— monthly, to be complied with when the Pension does not exceed Rupees 100 per annum, and the Pensioner has no other means of subsistence.

Circular.

No. 4860 of 1852.

Territorial Department—Revenue.

To the REVENUE COMMISSIONER N. D.

SIR,—I have been directed by the Right Honorable the Governor in Council to subjoin, for your information and guidance, an extract (para. 51) from a Despatch in the Political Department, No. 10, dated the 4th February 1852, from the Honorable the Court of Directors.

"Para. 51. We approve your having laid down, as a general rule, that applications for permission to receive payment of Pensions monthly, should be complied with when the Pension does not exceed Rs. 100 per annum, and the Pensioner has no other means of subsistence."

"(97) Miscellaneous proceedings not requiring to be separately noticed."

I have, &c.,
A. MALET,
Chief Secretary to Government.

Bombay Castle,
17th July 1852.

PENSIONS—Parties to whom —— should be paid.

Circular.
No. 2510 of 1838.
Territorial Department—Revenue.

To ——————.

SIR,—I am directed by the Right Honorable the Governor in Council to transmit, for your information and guidance, the subjoined extract, part of the 2nd para. of a letter from the Officiating Secretary to the Government of India, dated the 14th May last, regarding the payment of Pensions and Charitable Allowances.

I have, &c.
L. R. REID,
Acting Chief Secretary.

Bombay Castle,
5th July 1838.

Extract of a Letter from the Officiating Secretary to the Government of India, dated the 14th May 1838, above referred to.

"No allowances, particularly such as are for Life, should be paid to any but the actual Grantees, and those carefully identified, excepting in the cases of females of consideration not appearing in public, or of well ascertained impotence or illness."

PENSIONS.—Orders regarding the requiring of Life-Certificates and Certificates of Identification from Pensioners and Non-resident Holders of Life-grants of Land. Such Certificates not to be required from Sirdars or Hereditary Inamdars. *See Government Orders, dated 11th April 1851, under "Allowances," and the Extract of the Government Letter No. 4497, of 6th June 1850, &c., under "Life-Certificates."*

PENSIONS.—On the death of a Member of a family to whom a Pension may have been allowed, Government reserve to itself the right of resuming the share of the deceased.

Circular.

No. 4669 of 1844.

Territorial Department—Revenue.

To the Revenue Commissioner S. D.

Sir,—I am directed by the Honorable the Governor in Council to inform you, that, for the future, it is to be considered a general rule in cases when a Life-Pension, granted for the maintenance of a family, is permitted to be drawn collectively, that Government reserves to itself the power of resuming, on the death of any member of the family entitled to share therein, the amount which the deceased may have drawn, or to which he may have been entitled.

2. The Governor in Council directs that an intimation to this effect be made to all persons in the receipt of Pensions from the British Government within the limits of your control.

I have, &c.,

Bombay Castle,
19th December 1844.

E. H. Townsend,
Secretary to Government.

PENSIONS.—In every case in which a Pension or Life-occupancy may be sanctioned as an act of grace to persons whose alleged Allowances, Inams, &c., may be resumed as invalid or declared liable to assessment, such Pension or the realized assessment on such land is not to be paid in arrears if allowed to fall into arrears by the refusal of the Pensioners to receive it. *See Government Letter No.* 1894 *of* 28*th February of* 1851, *under* "Inams."

PENSIONS—Persons being allowed —— till they can obtain employment, and afterwards succeeding to situations of *less* income than such Pensions, are to have the difference of emolument made up to them from the latter source.

Circular.

No. 4013 of 1846.

Territorial Department—Revenue.

To the Revenue Commissioner N. D.

Sir,—I am directed to inform you, that the Honorable the Governor in Council is pleased to establish it as a general rule under this Presidency, that whenever a Pension is granted by Government to continue until the grantee obtains employment, it is to be understood that such employment shall be of equal emolument to the Pension; and that in the event of his accepting an office yielding a salary less than the Pension, his previous income should not be diminished, but that in addition to his salary he shall draw so much of the Pension as will make his emolument equal to the full amount of the Pension.

I have, &c.,

Bombay Castle,
30th November 1846.

R. K. Pringle,
Chief Secretary to Government.

PENSIONS.—When Members of an Establishment are lent by the Head of a Department to Officers employed on special duty, the period during which they may be so employed is to count for Pension. *See Extract of the Proceedings of the Government of India, dated 5th April* 1855, *No.* 1435, *under* " Public Officers."

PEONS—District —— not to be withdrawn for employment at the Hoozoor or elsewhere, nor employed in procuring Bazar supplies.

No. 2599 of 1853.

Territorial Department—Revenue.

To the REVENUE COMMISSIONER S. D.

Copy of the Resolution passed by Government, under date 4th May 1853, *on a letter from the Revenue Commissioner S. D., No.* 791, *dated the 28th March* 1853, *submitting correspondence with the Collectors of Sholapoor and Belgaum, relative to the permanent withdrawal of District Peons for employment on other duties than those for which they are entertained.*

District Peons should not be withdrawn from the District establishments for employment at the Hoozoor or elsewhere. If the District establishments are too strong, they may be reduced, and, if necessary, additions made to the Hoozoor Establishment; if not too strong, it is evident the withdrawal of the services of any of the Peons must either impair the efficiency of the Mamlutdar, or entail on Ryuts the necessity of paying for Mohussuls.

2. In Sholapoor, Government observe that the First Assistant, although he has six Hoozoor Peons, has also eight Peons from the District. Government consider the conduct of both the Collector and First Assistant in allowing this to be reprehensible.

Hoozoor, five.
District, six.

3. A similar remark applies to the case of the Second Assistant.

4. The Revenue Commissioners are at liberty to make use of the services of the District Peons if they require them for the performance of duties connected with the District, such as to summon Village Officers, &c., but not for the purpose of procuring supplies or carriage, and such like duties, which should be performed by private servants and the peons of the Revenue Commissioner's Department.

H. E. GOLDSMID,
Secy. to Government.

PEONS—Orders regarding the grant of Batta to —— . *See Government Circular No.* 2063 *of* 1830, *and Civil Auditor's Report No.* 253 *of* 15*th July* 1841, *under* " Batta."

PEONS to be allowed Batta when they accompany Officers proceeding to join new appointments, but not when they escort Officers proceeding on, or returning from, Leave of Absence. *See the Civil Auditor's Letter No.* 1771 *of* 9*th April* 1847, *under* " Batta."

PEONS.—Jummadars of *Hoozoor* Peon Establishments alone to be allowed Silver Badges, all others to be of Brass. Velvet Belts disallowed. *See Extract para. 2 of Government Letter, No. 2359 of 25th July* 1839, *under* "Badges."

PEONS' CLOTHING.—Regarding the supply of Cloth Coats to the Peon Establishment.

Circular.

No. 579 of 1830.

General Department.

To J. A. DUNLOP, Esq., Revenue Commissioner.

SIR,—Adverting to the reduction of a per-centage recently made in the pay of Peons, and to the little advantage there appears in this class being dressed in Woollen cloth at the subordinate Stations of the Zillas under this Presidency, I am directed to acquaint you, that the Honorable the Governor in Council is pleased to direct that the practice should be discontinued, and that Peons at Out-stations be exempted from the stoppage now made on account of Clothing from the 1st of the ensuing month.

2. At the Hoozoor Stations, where appearance is of more consequence, the Umuldars, Chobdars, and a party of Peons, not exceeding twenty or twenty-five, at each Residency, Adawlut, or Kutcherry, are to continue to wear Cloth Coats,—to be provided biennially at the expense of Government.

3. The clothing to be thus provided is to be perfectly plain, and free from gold lace* and ornaments—an estimate of the expense to be incurred in furnishing it, being always submitted for the previous sanction of Government.

4. The above rules are not intended to be applied to Peons at the Presidency. In their case the stoppage on account of Clothing will be continued, since the reduction recently made in the pay of Peons at Out-stations has not been extended to them.

I have, &c.,

J. P. WILLOUGHBY,

Acting Secretary to Government.

Bombay Castle,
13th March 1830.

PEONS' CLOTHING—Indents for —— to be sent direct to the Superintendent of Stationery.

Circular.

No. 984 of 1841.

General Department.

To ————————

SIR,—With reference to the Circular issued from this Department, under date the 19th August 1830, I am directed by the Honorable the Governor in Council

* See Government Notification of 14th April 1840, at page 768.

to intimate to you, that the Indent for Cloth for the usual supply, biennially, of Clothing to the Peons of your Department, is in future to be sent direct to the Superintendent of Stationery, who will, unless there may be doubt, comply with it at once, without reference to Government.

I have, &c.,
W. R. Morris,
Secretary to Government.

Bombay Castle,
3rd April 1841.

PEONS' CLOTHING—Gold Lace not to be allowed in supplying* ——.

Notification.

General Department.

Instances having recently occurred of deviations from the Circular Order issued on the 12th November 1829, respecting the Clothing of Peons, the Honorable the Governor in Council is pleased to direct the attention of all Heads of Departments to its provisions, and more particularly to the prohibition in regard to the supply of Gold Lace, &c.

By order, &c.,
W. R. Morris,
Secretary to Government.

Bombay Castle,
14th April 1840.

PETITIONS—Signatures on —— to be verified by the Officers reporting on them.

Circular.

No. 2641 of 1845.

Territorial Department—Revenue.

To the Revenue Commissioner S. D.

Sir,—With a view to discouraging the practice of persons who do not entertain regular Wukeels making representations to Government of their grievances through agents employed at the Presidency, who, it has been ascertained, frequently make incorrect statements in the name of their employers, while every opportunity is at all times given to parties who wish to make known their grievances direct, the Honorable the Governor in Council directs it to be observed, as a standing rule in future, that whenever you reply to a Government reference on a Petition, you, in the first place, ascertain from the Petitioner if the signature on the Petition is really his own, and if his representation is properly stated.

2. When the Petitioner cannot write, his mark, if made with his own hand, is equivalent to his signature.

3. When there is good and sufficient reason for believing that the signature is

* See para. 3 of the Government Circular of 13th March 1830, No. 579, at page 767.

not the Petitioner's, or that the Petition was not authorised by him, you will return it to Government, stating these circumstances, not further reporting on its merits.

I have, &c.,
E. H. Townsend,
Secretary to Government.

Bombay Castle,
7th June 1845.

PETITIONS.—Rules for hearing and answering Petitions.

To the Collectors.

Sir,—I have the honor to request your attention to the following Rules in providing for the hearing and answering of ordinary miscellaneous Petitions in your Districts, and even when absent from Head Quarters, where the accommodation of a separate room cannot be had: it is desirable that publicity, regularity, and facility of access should be studiously attended to as far as your means will admit.

I have, &c.,
J. A. Dunlop,
Revenue Commissioner.

Rev. Com.'s Camp, Gàngthurree,
12th January 1831.

(Enclosure to the above.)

As a general rule, it is not sufficient that the parties interested be alone admitted when petitions are heard, but there ought to be a public room always open for such purposes, where no one ever can be denied admittance; and the European Officer who is to hear miscellaneous petitions should, on all occasions, repair to such public room, and conduct every part of the investigation in public. We have no other means of informing the people of the grounds of our decisions, and where this rule is strictly attended to and petitions are heard and answered without delay, it is scarcely possible for discontented persons to succeed in procuring credence for their misrepresentations. Without these precautions there is hardly anything that may not be misrepresented.

J. A. Dunlop,
Revenue Commissioner.

Notification.

Whereas the practice, as at present existing, of making applications and appeals direct to the Government, who are unable to pass any orders thereon without previous references to the Departments concerned, is productive of inconvenience to Public Offices, causes delay and keeps the petitioners in suspense, the Right Honorable the Governor in Council is pleased to promulgate, for general information, the following Rules, which are to have effect from the 1st July next:—

1. Except in the cases of parties whose rank may entitle them to correspond with Government through Wukeels, Petitions to Government made by or through agents, will be left unnoticed.

2. Petitions will be received either through the Post Office, or in a Box which will be affixed for the purpose outside the Secretariate door, and which will be opened daily (Sundays and Public Holidays excepted) by the Secretary Persian Department, and the Petitions distributed to the different Departments of the Secretariate. When sent through the Post Office, Postage must be invariably paid.

3. Anonymous Petitions will be disregarded.

4. Petitions in any of the languages of this Presidency, when not accompanied by English translations, will be rendered into the latter language by the translator to Government before being placed before the Governor in Council. Petitions in English will be received by Government, if couched in intelligible language, otherwise they will be returned.

5. Petitions will not be received by Government regarding any matters which form the subject of Judicial proceedings in the Courts, or which properly fall within the jurisdiction of the Courts; nor will Government receive Petitions containing complaints relating to the administration of Civil or Criminal Justice, under circumstances which leave other modes of obtaining redress open under the Regulations.

6. The mode and channels through which all ranks of the Military Service should make known any complaint or grievance to superior authority, are clearly laid down by the Regulations of the Service, and are in no respect affected by these Rules.

7. Applications for situations in the gift of Local or Controlling Authorities, or for admission into the Public Service, will remain unnoticed by Government.

8. Any person having cause of complaint against the proceedings of any Officer of Government, Civil or Military, is, in the first instance, to seek redress from that Officer's immediate superior, who, if he declines compliance, is to give the Petitioner a written endorsement or order setting forth the grounds upon which the request is refused. If the Petitioner is dissatisfied with this order, he is at liberty to address the Chief Local Authority, and eventually the superior Civil or Military Authority, by whom the Chief Local Officer is controlled, or, in the event of there being no such intermediate Controlling Authority, the Government. (See appended List.)

9. The preceding Rule is not to be interpreted as precluding Chief Local or Controlling Authorities from using their discretion regarding the presentation, direct to themselves, of applications, and complaints which have not been previously submitted to Officers subordinate to them.

10. The Government, however, will not receive a Petition on any matter, unless it shall appear that the Petitioner has already applied to the Chief Local Authority, and where such exists, to the Controlling Authority. The

Petitions to the Chief Local and to the Controlling Authorities, or copies of them, and the answers to or orders upon those Petitions, *in original*, must be annexed to all Petitions addressed to Government.

11. The Government, after passing a final order on any appeal made to them, will not notice a second Petition on the same subject, unless new matter requiring especial consideration be introduced.

12. When a Petition is to be returned as not being drawn up or presented in conformity to the preceding Rules, it will be endorsed with a memorandum specifically pointing out which of the Rules has been infringed.

By order of the Right Honorable the Governor in Council,

H. E. GOLDSMID,
Actg. Chief Secretary to Government.

Bombay Castle;
3rd May 1854.

N. B.—The following are the Authorities through whom Petitions should be preferred in the several Departments, relative to matters not excluded by the above Rules from forming the subject of eventual Appeal to Government. (See Rules 5, 6, 8, 9, and 10).

REVENUE.

From the Assistant or Deputy Collector.....	To the Collector (except in a Sub-Collectorate, when the complaint is in the first instance to be made to the Sub-Collector).
From the Collector	To the Revenue Commissioner.
From the Assistant Superintendent Revenue Survey.....	To the Superintendent.
From the Superintendent.....	To the Revenue Commissioner.
From the Settlement Officer, Goojrath	To the Revenue Commissioner.
From the Revenue Commissioner	To Government.
From the Assistant Inam Commissioner.....	To the Inam Commissioner.
From the Superintendent Poona Duftur.....	To the Inam Commissioner.
From the Inam Commissioner.....	To Government.
From the Collector of Bombay.....	To Government.
From the Assistants to the Commissioners of Customs, Salt, and Opium	To the Deputy of the Division.
From the Deputy Commissioner	To the Commissioner.
From the Commissioner	To Government.
From the Assistant Conservator of Forests.....	To the Conservator.
From the Conservator	To Government.

POLICE, MAGISTERIAL, AND JUDICIAL.

(Particular attention is requested to Rule 5.)

From the Superintendent of Police.....	To the Magistrate.
From the Assistant or Deputy Magistrate	To the Magistrate or Joint Magistrate.
From the Magistrate.....	To the Sudder Foujdaree Adawlut.
From the Senior Assistant or Assistant Judge	To the Zillah Judge.
From the Zillah Judge.....	To the Sudder Adawlut.
From the Sudder Adawlut	To Government.

General.

From the Assistant Superintendent of Roads and Tanks	To the Superintendent of Roads and Tanks.
From the Superintendent of Roads and Tanks	To the Military Board.
From the Civil Architect at the Presidency	To the Military Board.
From the Military Board.....	To Government.
From the Subordinate Post Master.....	To the Post Master General.
From the Post Master General	To Government.
From the Superintendent of Government Schools	To the Board of Education.
From the Board of Education.....	To Government.
From the Civil Surgeons	To the Superintending Surgeons.
From the Superintendents of Vaccination	To the Superintending Surgeons.
From the Superintending Surgeons.....	To the Medical Board.
From the Medical Board	To Government.
From the Superintendent of Repairs	To the Board of Conservancy.
From the Board of Conservancy	To Government.
From Local Municipal Committees.....	To the Magistrate.
From the Magistrate	To Government.

Political.

From the Assistant Superintendent, Assistant Political Agent, or Assistant Resident	To the Superintendent, Political Agent, or Resident.
From the Superintendent, Political Agent, or Resident.....	To Government.

Military.

From the Garrison Engineer	To the Military Board.
From the Bazaar Master.....	To the Commanding Officer of the Station.
From the Commanding Officer of the Station.....	To the Commanding Officer of the Division.
From the Commanding Officer of the Division	To the Commander-in-Chief.
From the Commander-in-Chief.....	To Government.
From the Local and Divisional Commissariat Officers	To the Commissary General.
From the Commissary General	To the Military Board.
From the Military Board.....	To Government.
From the Executive Engineer	To the Superintending Engineer.
From the Superintending Engineer.....	To the Military Board.
From the Military Board.....	To Government.

For the present Appeals from the orders passed by the Commissioner of Sattara lie direct to Government.

By order of the Right Honorable the Governor in Council.

H. E. Goldsmid,
Actg. Chief Secretary to Government.

Bombay Castle,
23rd May 1854.

Notification.

Translations in Murrathee, Goojrathee, and Canarese, of the preceding Notification, are being prepared by the Translator to Government.

Lithographed copies will be furnished to the Head Local Officers for distribution in the Districts under their control and in order that they may give every possible

publicity to the Rules, and cause them to be explained to the servants of Government, and to the public generally.

Collectors and their Assistants and Deputies are also required to read out and explain the Rules to the Ryuts when assembled at the annual settlements.

A copy in the languages of the District is to be posted up in conspicuous places in every Court of Adawlut, Kutcherry, Custom House, Police Station, and Village Chowree, throughout the Presidency.

By order of the Right Honorable the Governor in Council,

Bombay Castle,
23rd May 1854.

H. E. Goldsmid,
Actg. Chief Secretary to Government.

PETITIONS—Orders respecting the disposal by Mamlutdars of —— made to them.

Circular.

No. 2325 of 1846.

To all the Collectors, S. D.

Sir,—Several Petitions which I have recently received, state that the Petitioners had applied to the Mamlutdar, who, however, returned their Petitions with directions to apply to the Collector,—the reason of such instructions being, that the contents of these Petitions referred to matters on which the Mamlutdars were not themselves competent to decide. As it is not always in the power of a Petitioner to travel to the Head Quarters of the Collectorate, or those of the nearest European Officers, such Petitions lie over till the Collector or his Assistant visits the neighbourhood of the Petitioner's residence, when they are made to him in person.

2. The results of this plan are—1st, a great and unnecessary delay in the disposal of Petitions; 2nd, an accumulation of them at the time of the Revenue Settlement, when the European Officer has, otherwise, a vast deal to get through, and when the press of numerous Petitions is on no account desirable.

3. This evil might easily be avoided if the Mamlutdars were strictly ordered to receive all Petitions presented to them, disposing of such as are within their authority to dispose of, and reporting to their European superiors the merits of such as are beyond their authority to decide on. This latter duty they would probably be required eventually to perform, as few cases are decided on by the Collector or his Assistants without reference to the Mamlutdar. The rule here proposed would be particularly valuable in the case of bribery, or other abuse of authority, by Village Officers. At present, a Mamlutdar who has no mind to do his duty effectually prevents the discovery of frauds by telling the Petitioner to go to the Collector, thus giving the delinquent time to prevent detection.

4. An intelligent Mamlutdar, whom I lately questioned as to his practice in this respect, told me, that he very rarely receives Petitions which were beyond his authority to decide; and that though he did occasionally report on such Petitions,

without orders, these were the exception and not the rule,—as, in general, he considered a special order necessary to authorise him to report on a Petition.

5. I request, therefore, that, if you are aware of no objection to the practice, you will issue a circular to the Mamlutdars of your Collectorate, directing them to follow the plan proposed in the 3rd para. of this letter. The efficiency of this plan would be greatly increased if the Collector, or his Assistant in charge of a District, required every Petitioner to state in his Petition whether he had in the first place applied to the Mamlutdar or not; and, should no reason appear to the contrary, if he required him to go to that authority in the first instance.

6. Whenever a Mamlutdar may think that a Petition should not be reported on,—such, for instance, as if the claim is an improper one or one which has been already decided on, he should give the Petitioner a written answer to that effect.*

I have, &c.,

Sholapoor Districts, Rev. Com.'s Camp,
Temboornee, 23rd November 1846.

E. H. Townsend,
Revenue Commissioner.

PETITIONS—In reporting on ——, the portions of the Petitioners' statements which are correct, and those which are not, to be pointed out.

Circular.

No. 3732 of 1850.

To the Collectors of the S. D.

Sir,—I have the honor to request, that whenever you report on Petitions, in either English or the Native language, you will, in the first instance, distinctly state whether all the Petitioners' representations are correct or not; if any part is *untrue*, the extent of the untruth should be shown, and the true version be given.

2. The foregoing instructions have been approved by Government under date the 2nd instant (No. 6571).

I have, &c.,

Poona, Rev. Com.'s Office,
6th September 1850.

E. H. Townsend,
Revenue Commissioner S. D.

PETITIONS—When —— which are sent for report require elucidation, the Petitioners should be summoned and questioned.

Extract, being part of para. 1 of a Government Resolution, dated 17th November 1852, No. 7468, addressed to the Revenue Commissioner S. D.

"Para. 1. * * * When Petitions referred for report require elucidation before they can be reported on, the local Officers should obtain the required explanation from the Petitioners, and not report in an incomplete form."

PETITIONS—Manner in which replies to —— should be given by Collectors and their Assistants.

* These orders were approved of by Government under date 29th May 1847, No. 2037.

Nos. 1993 to 1998 of 1847.

To the COLLECTORS.

SIR,—I beg to draw your attention to a practice which prevails in some Collectorates of this Division, of not replying, direct, to petitioners whose cases have been disposed of by the European Officers, but of communicating to them the European Officers' decision through the Mamlutdar or Mahalkurree, signed and worded only by the latter.

2. This system appears to me open to much objection; when the order is in favor of the petitioner, it is often a valuable document, if signed by the Collector or Assistant; and the petitioner should have the benefit of it as a testimony in behalf of his claim. I have seen some of these signed by Sir T. Munro, Mr. Chaplin, and Sir H. Pottinger, in the Dharwar and Ahmednuggur Districts, which are carefully preserved by the possessors as valuable proofs in support of present claims.

3. When the order of the European Officer is adverse to the petitioner, it is satisfactory to the latter, as well as to the authority to whom the petitioner may afterwards appeal, to see the Collector's or his Assistant's decisions, under their respective sign manual: A Native Officer may intentionally or unintentionally alter the purport of a decision when conveying it to a petitioner, and insert in it expressions which the European Officer would avoid were the order issued by himself. There is no objection that I am aware of to transmitting replies to petitioners through the District Officers open, that they may know the purport of the Collector's decision, but they should be worded and signed by the Officer from whom they proceed.

4. I may on this occasion remark that some replies to petitioners which have been brought before me in appeal, simply state the decision, without assigning any *reason* for it, thus—"Your petition is negatived":—there doubtless may be cases when such an order is expedient,—in dealing for instance with a litigious person, or when the assigning of reasons might in any way implicate Government; where such reasons do not exist, I think that a petitioner should generally be told briefly the ground on which a refusal of his petition is based.*

I have, &c.,
E. H. TOWNSEND,
Revenue Commissioner S. D.

Poona, Rev. Com.'s Office,
17th August 1847.

PETITIONS of one and the same nature, how to be reported on.

Circular.

No. 1905 of 1831.

Territorial Department—Revenue.

To J. A. DUNLOP, Esq., Revenue Commissioner.

SIR,—I am instructed by the Right Honorable the Governor in Council to request, that when petitions of precisely the same nature are referred, nearly at the same

* These orders were approved of in the Government letter No. 3731, of 14th September 1847.

time, for your report, you will, instead of replying to each in detail, submit a full and particular report on the first petition sent to you, and merely refer to it in noticing the other petitions.

I have, &c.,
T. WILLIAMSON,
Secretary to Government.

Bombay Castle,
26th May 1831.

PETITIONS.—Revenue Commissioners to take measures to prevent unnecessary delay on the part of Subordinate Officers in furnishing the information required of them on references from Government sent for report or disposal.

No. 24 of 1854.

Territorial Department—Revenue.

To the REVENUE COMMISSIONER N. D.

Copy of the Resolution passed by Government under date 2nd January 1854, *on a Letter from the Revenue Commissioner N. D., No.* 3581, *dated the* 30*th November* 1853, *relative to the delay in disposing of Petitions from certain Villagers of Mahool, Turf Sonaley, Talooka Bhewndy, in the Tanna Collectorate.*

The Revenue Commissioner Northern Division to be informed that, when papers sent him by Government for report or disposal have to be referred by him to the Officers under his control, the Governor in Council expects he will take measures sufficient for preventing unnecessary delay in furnishing the information he may require to enable him to answer Government or otherwise dispose of the case.

H. E. GOLDSMID,
Secretary to Government.

PETTY SUPPLY FUND—Lists of the Articles to be paid for from the ——, and those that should be charged for in Contingent Bills, &c.

LIST No. 1*.

Charges to be paid, when incurred, out of the Hoozoor or District "Petty Supply Allowance."

Atar and Rose Water.
Bettlenut, &c.
Book-binding charges.
Books (Blank).
Boornoos (coarse woollen stuff).
Bottles (quart) for Ink.
Boxes.
Brooms.
Candles.
Calendars (English and Mahratta).
Carriage of Records.
Chalk.
Charcoal.
Chukmuks (flint, steel, and tinder, for striking a light).
Chicks (blinds made of split Bamboos).
Color (country).
Copyists (occasional).
Corks.
Cotton (for Lamps, &c.)
Cowdunging.
Dungree Cloth (in small quantities).

Forms (Printed or Lithographed).
Firewood.
Gonepàt.
Goglets.
Glue.
Gum and Gumpots.
Hire of Carts, Coolies, Boats.
Ink (country).
Ink-stands.
Ink-pots (brass).
Inkmaker.
Irlè (to protect the records from rain).
Kinkàb Bags, &c.
Kumblees.
Labour of sorts (petty).
Lamps.
Lanterns.
Locks and Keys.
Mallets.
Maps (tin cases for ——).
Do. Mounting (in cloth).
Matches.
Mats.
Money Bags.
Mussàl.
Needles and Pins.
Oil.
Padlocks.
Paper (country).
Paper, Gilt-edged (letter).
Paper Weights (lead).
Pens (country).
Penknives.
Pen cases.
Pots (earthen).
Pots (tin).
Repairs to Office Tents.
Do. Furniture.
Rat-traps.
Ropes.
Rulers.
Sand.
Screws.
Sealing-wax.
Silk.
Silk strings.
Scissors.
Sweeper (if not borne on the Establishment).
Tape (country).
Thread.
Twine.
Umbrellas (for peons).
Vinegar (for ink).
Wax-cloth.
Waterman.
Waterpots.
Washing floor-cloths, &c.

LIST No. 2*.

Charges to be submitted in Contingent Bills through the Revenue Commissioner for the sanction of Government, or transmission to the Civil Auditor.

Badges (for peons).
Baskets (Bamboo pètàràs) for Records.
Belts (for peons).
Bookbinding (when there is no bookbinder on the Establishment).
Boxes.
Bunder-boat charges.
Carpets.
Cloth for Desks (baize—when not furnished by Indent).
Clothing to Peons of the Hoozoor (Do.)
Cotton experiments (charges comprising)—
Carriage of Implements.
Repair of Implements.
Hire of ditto.
Dungaree Cloth (for Records when required in *large* quantity).
Furniture (office —— comprising)—
Chairs.
Chests for Records.
Desks.
Presses.
Tables.
Gongs.
Hour Glasses.
Ink-stands (brass).
Jajums and Cushions.
Lamps (brass).
Measuring chains.
Oil for certain Forts in the Belgaum Zillah.
Opium Charges.
Padlocks (for treasure chests).

Remittance charges (comprising)—
- Batta.
- Canvass, &c. (for bags) and Sewing.
- Carriage.
- Carpenters' wages.
- Charcoal.
- Gunny Bags.
- Iron and Smith's wages.
- Labourers.
- Nails.
- Oil.
- Planks.
- Rope.
- Sealing-wax.
- Twine.

Scales and Weights.
Scales for Hoozoor and District Kutcherries.
Shelves for Records.
Silk Culture charges (pay and batta).
Screens (chicks for District Kutcherries when of large size).
Stationery (in excess of annual supply when not procurable by Supplementary Indent).
Treasure Chests.
Do. Tumbrils.

Poona, Rev. Com.'s Office,
4th October 1844.

D. A. BLANE,
Revenue Commissioner S. D.
R. K. PRINGLE,
Revenue Commissioner N. D.

* These Lists were approved of by Government in their letters dated 23rd November 1844, No. 4162, and 22nd May 1851, No. 5799.

Extract, being para. 1 *of a Circular from the Revenue Commissioner to the Collectors of the S. D., dated the* 1*st February* 1848.

"Para. 1. I have the honor, under instructions from Government, conveyed in para. 8 of a letter to this Department, No. 334, of 19th ultimo, to request that you will adopt stringent measures for preventing the 'Petty Supply Fund' of your Office, and that of the several Mamlutdars and Mahalkurrees of your Collectorate, being appropriated at any time to expenses other than those specified in the 'List No. 1,†' forwarded with the Revenue Commissioner's Circular No. 358, of 25th February 1846."

PETTY SUPPLY FUND—Regular accounts to be kept of all Expenditure from the ——.

No. 979 of 1845.

Territorial Department—Revenue.

To D. A. BLANE, Esq., Revenue Commissioner S. D.

SIR,—With reference to Mr. Chief Secretary Reid's letter to your address, dated 16th August 1843, on the subject of allowances granted to Collectors and Magistrates for the conveyance of Records and for other Petty Contingent Charges, I am directed to transmit for your information, extract para. 33 from a despatch from the Honorable the Court of Directors, dated 4th December last, No. 31, and to inform you that Government expects that you will be careful in requiring the Collectors to keep regular accounts of the actual disbursements under the heads referred to.

I have, &c.,
E. H. TOWNSEND,
Secretary to Government.

Bombay Castle,
24th February 1845.

† Precedes.

Extract of a Letter from the Honorable the Court of Directors, dated 4th December 1844, *No.* 31.

"Para. 33. We possess no means of judging of the sufficiency of the amounts fixed for defraying these petty charges. We presume, although, a monthly sum is specified which is not to be exceeded, that regular accounts are kept of the actual disbursements."

PETTY SUPPLY FUND.—A running account with Village Bunyàs, for Petty Supplies, prohibited.

Extract of a Letter from the Revenue Commissioner S. D. to Government, dated the 25th May 1844, *No.* 691.

"Para. 2. He* represents them to be the balances of *running accounts* due to the shop-keepers by whom the articles were, for a series of years, supplied. In his letter No. 840, forwarded with my letter No. 270, of 2nd March last, it is observed that 'henceforward the Mamlutdars, in giving over charge of a Talooka, will be held responsible for arrears'; but a settlement of this expenditure ought never to to deferred beyond the close of the year, when any balance should be liquidated. As the charges to be defrayed from this Fund do not fall equally in the several months, a running account is usual and necessary. This, however, cannot be urged with respect to the aggregate allowance for the year, and, although the account is one for which no responsibility rests with Government, it is desirable that regularity be observed in its adjustment to guard against claims of the nature of those in which the present application has originated."

* Collector of Dharwar.

Extract, being paras. 2 *and* 3 *of the Government reply to the Letter above quoted from, No.* 2567, *dated 5th August* 1844.

"Para. 2. The Governor in Council concurs in the observations contained in your 2nd para., and desires that you will adopt the necessary measures for enforcing your suggestions.

"3. You are also requested to ascertain and report whether the practice of running into debt with the Village Bunyà, for the supplies in question, exists in any other Collectorates under your control; and if it does, that you will cause it to be put a stop to."

PETTY SUPPLY FUND—A Monthly Return of Expenditure from the —— of each Department, to be furnished to the Civil Auditor.

Circular.

No. 6802 of 1848.

Territorial Department—Revenue.

To the Revenue Commissioner S. D.

Sir,—In supersession of the Government Circular of the 18th December No. 5303 of 1847, the Right Honorable the Governor in Council directs, that you

will, from and after the 1st proximo, submit to the Civil Auditor, for examination and audit, a Monthly Return, exhibiting in detail the purposes to which the Contingent or Stationery Allowance of your Department has, during the preceding month, been appropriated.

I have, &c.,
W. COURTNEY,
Acting Secretary to Government.

Bombay Castle,
31st October 1848.

Circular.

No. 720 of 1848-49.

Territorial Department—Revenue.

To the COLLECTOR, Ahmednuggur.

SIR,—With reference to the Government Circular No. 6802A, of the 31st October 1848, I have the honor to request that you will have the goodness in future to cause the Pay Abstracts of the Establishment payable from your Treasury, to be accompanied with a detailed statement of the Monthly Expenditure of the fixed Contingent, or "Petty Supply" allowance granted for each Office.

2. The sanctioned monthly amount of this allowance should be shown in each Return, with the balance remaining at the close of each month, which should be brought forward in the statement of the following month, and may be made available when the monthly expenditure may necessarily exceed the fixed allowance.

3. The following declaration, signed by the Head of the Office, should be attached to each return :—

I hereby declare, that the sums entered in this statement are faithful and just, and have actually been expended for the purposes stated.

4. The full sanctioned amount for Petty Supplies for each Office should, as heretofore, be charged in the Office Abstract, the object of the Government Circular above referred to being, as understood by this Department, solely to prevent any items of expenditure that would be improper charges against an allowance granted for "Pettty Supplies."

I have, &c.,
E. E. ELLIOT,
Civil Auditor.

Bombay Castle, Civil Auditor's Office,
1st December 1848.

PETTY SUPPLY FUND.—The Revenue Commissioner's authority for a re-adjustment of the Petty Supply Allowances of the several Districts of a Collectorate to be considered sufficient by the Civil Auditor to pass charges, provided the aggregate expenditure of the Collectorate on that account be not increased.

Resolution on a Letter from the Revenue Commissioner N. D., No. 220, dated 27th January 1852, requesting confirmation by Government to the sanction accorded by him for the transfer of (5) five Rupees from the Petty Supply Allowance of the

Koorsud to the Bugwara Purgana, of the Surat Collectorate, and soliciting instructions for his future guidance.

Stancioned. The Revenue Commissioner's authority for re-adjustments of the Petty Supply Allowances of the several Districts in a Collectorate may be considered sufficient by the Civil Auditor, provided the aggregate expenditure, on that account, of the Collectorate, is not increased.

No. 1005 of 1852.

Territorial Department—Revenue.

Copy of the above Resolution is sent to the Revenue Commissioner Northern Division, for information and guidance.

By order, &c.,
H. E. GOLDSMID,
Secretary to Government.

Bombay Castle,
11th February 1852.

PETTY SUPPLY FUND—Advances of Salary not to be drawn from the —— .

Circular.

No. 900 of 1844.

Territorial Department—Revenue.

To the REVENUE COMMISSIONER S. D.

SIR,—An instance having been recently brought to the notice of Government, in which Public Officers had drawn sums of money from the Contingent Fund under their charge in anticipation of the receipt of their salaries, I am directed to inform you, that the Honorable the Governor in Council considers this practice in the highest degree reprehensible, and directs that, no money shall be taken from any Public Fund in the manner indicated.

2. The unauthorised application of Public Money to any private purpose, will, I am desired to add, subject the offenders to the loss of their appointments, and even to removal from the Service.

I have, &c.,
E. H. TOWNSEND,
Secretary to Government.

Bombay Castle,
22nd March 1844.

POLICE—Village —— service to be remunerated in Cash, not by Grants of Land.

Circular.

No. 1607 of 1851.

Judicial Department.

To all the MAGISTRATES.

SIR,—I am directed to inform you, that the Right Honorable the Governor in Council has resolved that any remuneration which may be hereafter sanctioned by

Government for Village Police service shall be awarded in Cash Payment, and not in Land.

I have, &c.,
J. G. LUMSDEN,
Secretary to Government.

Bombay Castle,
28th March 1851.

POLICE.—Orders regarding the keeping of Accounts of all Lapses of Land and other Allowances appropriated to Police purposes. *See Government Letter 22nd November* 1850, *No.* 8602, *under* "Land."

POOJAREES—The names of —— of Temples, claiming Allowances from Government, not to be entered in the Public Accounts.

Circular.

No. 4673 of 1845.

Territorial Department—Revenue.

To all the COLLECTORS.

SIR,—With reference to Section XXXII. of the Pension Rules of 8th September 1835, I am directed by the Honorable the Governor in Council to inform you, that the names of the Poojarees of Temples, claiming allowances from Government, should not be entered in the Public Accounts,—the allowance being to the *Temple* and not to the Poojaree, and the life or death of the latter no way affecting its continuance. His Honor in Council is pleased, therefore, to direct that on the death of an incumbent you require the new claimant to bring either a Certificate of Heirship from the Adawlut, or some adequate proof, that he is the person entitled to receive the allowance, when it may be paid to him.

I have, &c.,
E. H. TOWNSEND,
Secretary to Government.

Bombay Castle,
30th September 1845.

POOJAREES—The extent to which the Allowances of —— can be paid from the District Treasuries, &c. *See Revenue Commissioner's Letter, No.* 1493 *of* 1850, *under* "Allowances."

POOJAREES—Government have no desire to interfere in the management of the Funds of Temples, but consider that the just rights of —— should be upheld. *See Extract paras.* 1 *and* 2 *of Government Letter No.* 4569 *of* 1850, *under* "Religious Institutions."

POST.—The transmission of Private Letters in Public Covers, strictly prohibited.

(Calcutta Gazette, 15th January 1834, No. 131, page 1295).

Fort William,
General Department,
6th January 1834.

The following Rules, for checking abuses in the privilege of Franking, are published for the information and guidance of the Officers of Government.

Firstly.—All Public Authorities are enjoined either themselves to open, or to cause to be opened in their presence, all Public Letters to their address, and to transmit to the Post Office of their Station every private letter which may come in a Public Cover.

Secondly.—The Post Master General is directed to levy an amount equal to ten times the postage on all Letters thus received prior to delivery.

Thirdly.—Every Public Officer is enjoined to warn his subordinates, that any one who is detected in attempting to evade the payment of postage dues by the introduction of Private Letters into the Public Correspondence, will be dismissed from his employment.

POSTAGE—Orders regarding the —— of communications from Public Officers to private individuals, such as Petitioners, &c.

No. 3707 of 1854.

To the Post Master General, Bombay.

Sir,—I have the honor to request you will inform me, if it is intended that letters addressed by Public Officers to private individuals,—answers to petitions for instance, and superscribed under No. XXXV. of the Rules of the Post Office by the sender "Bearing Postage," with his signature attached, are liable to double postage under Clause XX. of Act XVII., in consequence of being sent unstamped and unpaid.

2. Answers to petitions are very numerous, and double postage may operate to the loss of the revenue, as well as an impediment to justice.

Perhaps, however, I am right in supposing that Clause XX. of the Act regards letters sent and received by private hands only, and that the Rule XXXV. means that the letters alluded to in it are to bear, not *double* postage, but that only due according to the weight of the letter.

3. Your reply to the above should include the District Posts, for you will observe that by Rule XIX. of the Code, dated 12th August last, "Unpaid Letters are never, under any circumstances, to be sent from one District to another." This has been interpreted as preventing a Collector sending an answer to a petition from

one District to another unpaid, and, consequently, petitioners have been enclosing in their petitions Stamps of the value necessary to cover the return of the answers.

I have, &c.,
H. W. REEVES,
Revenue Commissioner S. D.

Poona, Rev. Com.'s Office,
23rd November 1854.

No. 2520 of 1854.

General Department.

To H. W. REEVES, Esq., Actg. Revenue Commissioner S. D., Poona.

SIR,—I have the honor to acknowledge your letter No. 3707, of 23rd ultimo, and to state that there is no exception made in Act XVII. under which the bearing letters alluded to by you can be transmitted by post for single postage. Respecting the manner of prepaying such letters for the District Dâks, I had the honor to address to you a Circular No. 22 of 29th ultimo, and a similar procedure with letters for the general post ensures their transmission for single postage.

I have, &c.,
DUNCAN DAVIDSON,
Post Master General.

Post Master General's Office,
Bombay, 4th December 1854.

Circular.

No. 22 of 1854.

General Department.

To the REVENUE COMMISSIONER S. D.

SIR,—I have the honor to inform you, that on reference being made to the Director General of the Post Offices in India, representing the inconvenience experienced by petitioners in having to pay double postage on replies to their petitions to the Revenue, &c. Authorities, that Officer has decided that the persons can send Stamps with their applications to cover the postage of a reply.

I have, &c.,
DUNCAN DAVIDSON,
Post Master General.

Post Master General's Office,
Bombay, 29th November 1854.

POSTAGE-STAMPS—Orders regarding the keeping of Accounts of the Receipt and Sale of —— .

Circular.

No. 536 of 1854-55.

To all DISBURSING OFFICERS.

SIR,—With reference to the set of Rules proposed by the Director General of the Post Offices in India, for the guidance of Officers entrusted with the sale and distribution of Postage Stamps (or Labels), which Rules have been approved by the

Government of India, and published in the Supplement to the *Bombay Government Gazette* of Thursday, the 20th July 1854, I have the honor to draw your attention to the following instructions.

2. You will be so good as to open a Plus and Minus Memo. at the foot of your Cash Account, for the exhibition of the Receipt and Sale of Postage Stamps as under:—

Memo. of Postage Stamps.

	Rs.	A.	P.
Balance at the close of last month.....	4,000	0	0
Add.			
Received from the Superintendent of Stamps, as per my Receipt No. , dated	1,000	0	0
	5,000	0	0
Deduct.			
Sales effected during this Month, as per credit in the Cash Account	1,200	0	0
Balance..	3,800	0	0

3. Postage Stamps received by you, not only from the Superintendent of Stamps, but from other Districts, should be entered in the above memo., as well as supplies made to other Districts requiring them as contemplated in Rule 7; the acknowledgment of the Receiving Officer in the latter case being forwarded in support of the Minus entry.

4. You are requested to have the receipts given by you to the Superintendent of Stamps, &c., in acknowledgement of supplies, numbered in a consecutive Annual Series (according to the Official Year), the number of each receipt being cited in the Memorandum, whenever credits are afforded therein.

5. The value of Stamps sold must be credited in the body of your Cash Accounts, under the head of "Postage Stamps" subordinate to "Post Master General," and the authorised discount allowed on purchases charged *per contra* to the same head, in the body of your Cash Account, but without any entry in the Memorandum.

6. In support of the Discount debit entry, you are requested to submit a Statement, in the annexed form, as a Voucher with your Cash Account.

7. Incidental charges connected with the Receipt, Sale, or Custody of Postage Stamps, are likewise to be debited to the head of the Postage Stamps, subordinate to "Post Master General", and will, of course, be subjected to the usual Civil Audit, like other ordinary contingent charges of your office.

8. Your attention is drawn to Rule 19 for observance, on occasions of transferring charge of your office.

FORM.

Statement of Discount paid on Postage Stamps sold during October 1854.

Venders' Names.	No. of Stamps sold.		Value of Stamps sold.	Total.	Discount allowed.	Venders' Receipts.
	as.		*Rs. a. p.*	*Rs. a. p.*	*Rs. a. p.*	
Sewlall Vrijlall ..	4	20	5 0 0			NOTE.—according to Rule 9, Discount will be allowed only on every 9 Rupees paid.
	½	200	6 4 0			
				11 4 0	0 4 0	
Gopal Moria	8	50	25 0 0			
	4	10	2 8 0			
				27 8 0	0 12 0	

I hereby certify that the above allowances of Discount have been actually paid to the Venders indicated.

A. B.
Collector.

Collector's Office,
November 1854.

I have, &c.
C. J. ERSKINE,
Civil Auditor.

Bombay Civil Auditor's Office,
25th September 1854.

No. 704 of 1854-55.

To the REVENUE COMMISSIONER S. D.

SIR,—With reference to former Circular* regarding the account to be kept of Postage Stamp Receipts and Sales, I beg to remind you that Officers in charge of Public Treasuries are not to sell these labels by retail, nor in parcels of less than nine Rupees' worth at a time. Even when more than nine Rupees' worth is required, the Disbursing Officer is only to sell the quantities which are even multiples of that value.

* No. 536, of 25th September 1854.

2. There will thus be a discount on every sale effected at a Government Treasury, and for every such discount a receipt for the exact sum discounted is to be taken in column 6 of the Discount Statement.

3. In the Discount Statement to be framed according to the form furnished in my former circular, the names of purchasers should be entered in column 1 instead of Venders' as therein shown.

4. All sales effected at Subordinate Treasuries under your control, as well as those effected at the Hoozoor, should be included in your Statement of Discount, and exhibited separately.

I have, &c.,
C. J. ERSKINE,
Civil Auditor.

Bombay, Civil Auditor's Office,
3rd November 1854.

POTDARS required to sign all Receipts given to Villages, and to countersign the Talooka Books. *See Government Letter No.* 3929 *of* 1850, *under* "Shroffs."

POWERS-OF-ATTORNEY—As to whether —— for receipt of Money Allowances from Government should, or should not, be on Stamped Paper. *See Extract para.* 4 *of Government Letter No.* 4695 *of* 13*th August* 1853, *&c., under* "Mookhtiarnàmàs."

PRESENTS—No Public Officers to receive any —— from their fellow servants, or from the inhabitants of the Districts they serve in, on the occasion of Marriages or other ceremonies.

Circular.
No. 2259 of 1828.
Territorial Department—Revenue.

To the COLLECTOR of AHMEDABAD.

SIR,—The Honorable the Governor in Council directs that no Kamavisdar, or any other Public Officer, is to receive, on the occasion of Marriages or other ceremonies in his family or among his connections, any "Nuzzur," or "Chàndlà," or present, under any denomination whatever from the Public Servants or Inhabitants of the District in which they may be employed, and persons contravening this order shall be liable to be judicially prosecuted and dismissed.

2. You will be pleased to communicate the above to all your Native Servants.

I have, &c.,
T. WILLIAMSON,
Acting Secretary to Government.

Bombay Castle,
28th November 1828.

PRESENTS.—The receipt of "Dustooree," "Dullalee," or other Fees, prohibited. *See Proclamation of Government dated* 3*rd May* 1836, *under* "Fees."

PRESENTS—All —— must be accounted for to Government, &c.

Circular.
No. 1859 of 1855.
Political Department.

From H. L. ANDERSON, Esq., Secretary to the Government of Bombay,
To the REVENUE COMMISSIONER S. D.

SIR,—I am directed by the Right Honorable the Governor in Council to transmit for your information and guidance, an extract from a Despatch from the

Honorable the Court of Directors, dated the 17th January last, No. 2, relating to Presents.

I have, &c.,
H. L. ANDERSON,
Secretary to Government.

Bombay Castle,
12th May 1855.

Extract from a Despatch from the Honorable the Court of Directors, dated the 17th January, No. 2 of 1855.

"The reason and purpose of the Enactments respecting Presents, apply to all Servants of the British Government, whether Native or European; and we must enjoin that the rule, by which all Presents must be accounted for to Government, be enforced universally."

(True extract)
H. L. ANDERSON,
Secretary to Government.

PRINTING—All orders for —— , or Lithographing Public Papers, to be sent to the Superintendent of the Education Society's Press.

NOTICE.

The Government Printing and Lithographic Departments having been transferred to the Bombay Education Society, all Printing and Lithographing required by any Department, should be sent to the Office at Byculla, addressed to the Superintendent.

J. G. LUMSDEN,
Secretary to Government.

Bombay Castle,
5th April 1848.

PRINTING—Receipts to be furnished for all —— work that may be executed, for Public Departments, at the Education Society's Press.

Circular.

No. 3855 of 1848.

General Department.

To the REVENUE COMMISSIONER S. D.

SIR,—With reference to the Notice, dated the 5th April last, (published in the *Government Gazette* of the 6th idem,) intimating the transfer, to the Education Society, of the Government Printing and Lithographing Departments, I am directed by the Right Honorable the Governor in Council to forward to you extract (paras. 1 and 6) of a letter dated in July last, No. 100, from the Acting Secretary to the Bombay Education Society, together with a copy of the Form therewith submitted.

2. In drawing your attention to the latter document, I am desired to state that His Lordship in Council has approved of the arrangement suggested in the 6th para.

of the Reverend Mr. Pigott's letter, and desires that on delivery to you of any work which may have been executed at the Society's Press on account of your Department, you will have the goodness to sign, and return to the Superintendent of that Press, the Receipt (in duplicate) which he will forward to you.

I have, &c.,
J. G. LUMSDEN,
Secretary to Government.

Bombay Castle,
31st October 1848.

Extract paras. 1 *and* 6 *of a Letter from the Acting Secretary to the Bombay Education Society, No* 100, *dated July last.*

"Para. 1. I have the honor, by direction of the Managing Committee of the Bombay Education Society, to submit, for the consideration of the Right Honorable the Governor in Council, the following suggestions which have in view the facilitating the audit of the Monthly Account of Work done for the Government at the Society's Press.

* * * * * * * * * *

6. As to the vouchers to be sent in with the Monthly Bill, nothing has yet been decided; but the Managing Committee would propose that, when an order has been executed and sent in, it should be accompanied by Receipts in duplicate, setting forth, under heads similar to the above tabulated form, the description, size, number of pages, and number printed of the work furnished, to be signed, on delivery, by the party sending the order or some one duly authorized by him so to do. Of these duplicate Receipts, one would remain with the Society, and one be forwarded with the Monthly Bill."

(Proposed Form of Receipt.)

Bombay Education Society's Press.

No. of 18 .

Typographical Department.

Received this day of 18 , from the Bombay Education Society's Press, the undermentioned work, in accordance with an order sent in on the day of

Description.	Number Printed.	Size.	Number of Pages.	Paper.	Remarks.

E. E. and Contents Received.

Superintendent,
B. E. S. Press.

PRISONERS—Gangs of —— not to be employed on Public Roads, &c. *See Extract of Government Letter No.* 1069 *of* 1851, *under* "Convicts."

PROCLAMATIONS not to be issued without the approval of Government.

Extract of a Government Circular No. 477 *of* 8*th February* 1839, *to all the Collectors.*

"I am directed to convey to you the instructions of the Honorable the Governor in Council that, whenever you may consider it desirable that Proclamations, or Circular orders to your subordinates, materially affecting the interests of particular classes or bodies of people,— * * * should be issued, you submit them, in the first instance, through the Revenue Commissioner, for the approval of Government."

PROMOTIONS—Form of Statement for reporting —— for confirmation. *See Revenue Commissioner's Circular of* 7*th September* 1838, *under* "Appointments."

PUBLIC MONEY—Government orders regarding the safe keeping and disbursement of —— for Revenue Surveys and other Public Works, &c. *See Revenue Commissioner's Letter No.* 2286 *of* 1849, *and Government Resolution No.* 4563 *of* 1853, *under* "Advances."

PUBLIC OFFICERS, who are Christians, not to be required to work on Sundays. *See Government Circular No.* 124 *of* 1836, *under* "Establishment."

PUBLIC OFFICERS—Residences for —— not to be provided at the expense of Government.

Extract, being part of para. 15 *of a Letter from the Honorable the Court of Directors, dated the* 5*th June* 1833.

"Para. 15. * * * We cannot consent to bear the expense of providing a residence for each Head of a Department; and although it might not be practicable to dispose, without heavy loss, of those Houses which have actually been provided for such purposes, yet we desire that all further charge on this account may cease. You will accordingly discontinue the practice to which our attention has been drawn, by not renewing the Lease of rented Houses, and by either selling those which are the property of Government, or converting them to some other use, or requiring the Officers occupying them to pay reasonable rent.*

Extract of a Letter from the Honorable the Court of Directors, No. 12, *dated* 18*th June* 1834.

"We apprehend that the practice of assigning private Residences to the Officers of the Presidency of Bombay, or a pecuniary compensation for them (a practice

* See Government Circular No. 1031, dated 18th February 1848, under "*Buildings.*"

which does not prevail at the other Presidencies), must have escaped notice; and we see no sufficient grounds for its continuance. You have already, in pursuance of our instructions, put an end to it in the case of the Judges at Dharwar and Ahmednuggur, and it must be discontinued at other stations.

* * * * * * * * *

Nor can we sanction the building or hiring of Houses for the personal accommodation of Public Officers. From the list which you have transmitted, according to the instructions in our letter of 5th June 1833, it is evident that this indulgence to individuals has drawn your Government into a heavy expenditure. It will be for you to judge in what way buildings constructed or purchased as Residences for Public Officers can, in each case, be most advantageously disposed of when they cannot be applied to any public purpose, nor sold without great loss: the Officers occupying them may either keep them in repair at their own expense, or pay a moderate rent for them. We leave it to you to act in this respect as may be best for the public interests in each particular case,—observing, as a general rule, that a Residence is not to be provided, at the public expense, for the Officers of Government.

PUBLIC OFFICERS—All —— in Civil employ, occupying Government Buildings, required to pay moderate Rents. *See Government Circular No.* 1031 *of* 18*th February* 1848, *&c., under* "Buildings."

PUBLIC OFFICERS—Rules for Regulating the Pay of —— under suspension. *See Government Notification of* 22*nd December* 1843, *and Civil Auditor's Letter No.* 1242 *of* 16*th January* 1845, *under* "Establishment."

PUBLIC OFFICERS charged with Misconduct, &c., should be tried by Officers who had no concern with the preparation of the cases against them. *See Extract part of para.* 2 *of the Government Letter No.* 389, *of* 25*th January* 1845, *under* "Establishment."

PUBLIC OFFICERS—The prolonged suspension of —— disapproved by Government. Cases against them should be investigated without delay. *See Government Resolution No.* 1711 *of* 1855, *under* "Suspension."

PUBLIC OFFICERS—The greatest caution to be observed in proposing the Dismissal of ——. *See Government Circular No.* 3876 *of* 1842, *under* "Dismissals."

PUBLIC OFFICERS.—The power of Collectors to award suspension from Office as a *punishment* defined. *See Extract paras.* 2 *and* 3 *of the Government Letter No.* 6333 *of* 1852, *under* "Suspension."

PUBLIC OFFICERS.—The length of Service in present and former Situations, to be always mentioned in recommending the Dismission of Members of a Government Establishment. *See Extract of Government Letter No.* 56 *of the* 3*rd January* 1846, *under* "Establishment."

PUBLIC OFFICERS when Suspended or Dismissed by order of Government, or any superior authority, not to be restored to their situations without the permission of such authority.

Notification.

General Department.

The Honorable the Governor in Council deems it expedient to establish it as a rule, that when Native Servants belonging to any Public Establishment, are suspended by order of any superior authority, they are not to be restored to their situation *without the permission of such authority.*

2. And also that no Public Servant of any grade, who has been *once dismissed* with the sanction of Government shall be re-employed without its permission. In all such cases, a brief report should be made to Government of the circumstances which led to the dismissal of the party, and the reasons for proposing his re-employment.

3. Heads of Departments are requested to make this rule known to all Public Servants on their Establishments.

By order, &c.,
W. S. Boyd,
Acting Secretary to Government.

Bombay Castle,
15th June 1839.

PUBLIC OFFICERS.—Government Servants, in cases of misconduct, are not to be *constrained* to resign their situations by threats of ulterior proceedings should they remain in the Service. *See Extract of Government Letter No.* 7561 *of the* 23*rd July* 1851, *under* "Establishment."

PUBLIC OFFICERS.—In all cases of entries of the names of Government Servants in accounts as receivers of Bribes, inquiries should at once be made as to the probability of other proof being forthcoming in support of such entries. *See Government Letter No.* 8783 *of* 30*th November* 1850, *under* "Establishment."

PUBLIC OFFICERS—The practice of —— living at the expense of the inhabitants of any village they may visit, strictly prohibited. *See the enclosures to the Revenue Commissioner's Circular No.* 712 *of the* 11*th October* 1832, *under* "Hucks."

PUBLIC OFFICERS prohibited from procuring their daily supplies from Patells, Koolkurnees, or Ryuts, when out in the Districts. *See Government Circular No.* 3350 *of* 1842, *and Government Letter No.* 4138 *of* 1849, *under* "Supplies."

PUBLIC OFFICERS prohibited from transacting business for Private Individuals without the sanction of Government.

Notification.

General Department.

Instances having come to the knowledge of Government, in which persons in its service have transacted, and have been paid for transacting, the business of private

individuals, the Honorable the Governor in Council considering this practice to be highly objectionable, positively prohibits any Public Servant from undertaking such employment,—whether with, or without remuneration, unless the sanction of Government shall have been first obtained.*

By order, &c.,
W. ESCOMBE,
Secretary to Government.

Bombay Castle,
30th September 1843.

PUBLIC OFFICERS prohibited from making public, without Government sanction, any documents, papers, or information of which they may officially become possessed.

Notification.

Political Department.

The Honorable the Governor in Council is pleased to publish, for information and guidance, the following General Order by the Right Honorable the Governor General of India, dated the 15th instant, prohibiting the publication, without previous sanction, of documents or information received in their official capacity by Officers in the service of Government.

By order, &c.,
A. MALET,
Secretary to Government.

Bombay Castle,
29th March 1847.

GENERAL ORDER.

By the Right Honorable the Governor General of India.

Foreign Department.

Camp Dehra, March 15th, 1847.

The Governor General deems it advisable to republish for general information the Notification issued on the 30th August 1843, in which the principle is laid down that it is contrary to the duty of every Officer, Civil or Military, to make public, or to communicate to individuals, without the previous sanction of Government, any documents, papers, or information of which he may have become possessed in his official capacity. The practice of making use of official information in carrying on personal controversies is a course highly prejudicial to the public

Notification.

Fort William, Foreign Department, the 30th August 1843.

Some misconception appearing to exist with respect to the power which Officers of both Services have over the documents and papers which come into their possession officially, the Governor General in Council deems it expedient to notify, that such documents and papers are in no case to be made public, or communicated to individuals, without the previous consent of the Government to which alone they belong.

The Officer in possession of such documents and papers can only legitimately use them for the furtherance of the public service, in the discharge of his official duty; and it is to be understood,

* See also Government Circular No. 2541, of 20th June 1851, under "*Establishment.*"

that the same rule which applies to documents and papers, applies to information of which Officers may become possessed officially.

By order, &c.,
J. THOMPSON,
Secy. to the Govt. of India.

interests, and is not only at variance with the rules by which due discipline and obedience to superior authority can be adequately maintained, but it is a positive breach of faith, inasmuch as no functionary has a right to reveal, without due authority from his official superiors, or the Home Authorities, any fact or circumstance which may have come to his knowledge in the performance of his duty, or to correspond with any one upon the instructions he may have received for his special guidance.

The Governor General is persuaded that every Officer, Civil and Military, will henceforth conform to this rule of the Service, under the conviction that, if by the transaction of his official duties his public conduct be impugned, he is at liberty to seek redress through the usual official channel, by an appeal to the Government he serves, and that the Government so appealed to will afford him every opportunity of vindicating his character.

By order, &c.,
H. M. ELLIOT,
Offg. Secy. to the Govt. of India, with the Governor General.

PUBLIC OFFICERS strictly prohibited from interfering with the Religion of the Natives. *See Government Letter No.* 4132 *of* 1847, *under* "Religion."

PUBLIC OFFICERS prohibited from Selling Valuable Property to Natives of Rank, without the permission of Government. *See Government Notification of* 31*st October* 1848, *under* "Sales."

PUBLIC OFFICERS strictly prohibited from taking any part in the management of Banks, &c.

Territorial Department—Finance.

The following Notification, by the Most Noble the Governor General of India in Council, is issued for the information of all classes of Government Servants on the Bombay Establishment, each of whom, who may be in any way connected with the management of the affairs of Banks or other Companies, is required to furnish, by the close of the current month, to the Secretary to Government, Financial Department, a Statement showing the office he may hold, and the date at which his retirement takes place, under the rules of the Company, as regards rotation, &c. which were in force on the 14th May 1852.

Heads of Departments are required to communicate these instructions to any of their subordinate Officers, to whom copies of the Government Gazette are not furnished direct.

No. 462.

Fort William, Home Department,

The 28th May 1852.

Notification.

The Most Noble the Governor General in Council is pleased to notify, for general information, that, under instructions from the Honorable the Court of Directors, all Servants of the East India Company, whether Civil or Military, Covenanted or Uncovenanted, are strictly prohibited from taking any part in the management of Banks in India, or from being connected with Banks, or any other Trading Companies, except as simple Shareholders, the only exception to this rule being in favor of ex-officio Directors or Secretaries of the Government Banks at the three Presidencies.

To obviate any possible injury to existing institutions from the immediate withdrawal of all the Company's Servants at present engaged in their management, the Honorable Court do not insist that those of their Servants now so engaged should at once retire from that occupation; but the prohibition is distinct and positive as regards fresh acceptance of office, from the date of the receipt of the Court's Despatch, viz. the 14th May 1852.

By order, &c.,

F. J. HALLIDAY,
Secretary to the Government of India.

By order, &c.,

A. MALET,
Chief Secretary to Government.

Bombay Castle,
16th June 1852.

PUBLIC OFFICERS are not to be Members of any Committee for the management of Native Religious Establishments. *See Government Letter No.* 4791 *of* 1845, *&c., under* "Religious Establishments."

PUBLIC OFFICERS—The extent to which ——, Civil or Military, are permitted to hold Lands.

Circular.

No. 4086 of 1843.

Territorial Department—Revenue.

To all COLLECTORS of LAND REVENUE.

SIR,—I am directed by the Honorable the Governor in Council to transmit, for your information and guidance, the accompanying extract, part of the 31st para., from a Despatch, No. 29, dated the 27th September last, from the Honorable the

Court of Directors, stating the extent to which it is willing to permit its Civil and Military Servants to be concerned in the holding of Lands.

I have, &c.,
L. R. Reid,
Chief Secretary.

Bombay Castle,
11th December 1843.

Extract of a Letter from the Honorable the Court of Directors, dated the 27th September 1843, No. 29.

"Para. 31. * * We have therefore thought it right to communicate to you an extract* from a Despatch, which we have recently addressed to the Government of Madras, in which we have stated the extent to which we are willing to permit our Civil and Military Servants to be concerned in the holding of Lands."

* Revenue Despatch to Fort St. George, dated 21st June 1843, No. 13.

Para. 16. With reference to the inquiry contained in para. 19 of your letter of the 15th February last, we have to inform you, that we do not object to the possession of Lands by Officers in our Civil and Military Service, provided the holders are not personally engaged in the management of them, it being distinctly understood that the possession of Landed property disqualifies the possessor from exercising any Civil authority in the District in which his Lands are situated. This concession must not, however, be considered to interfere, in any degree, with the right of Government to refuse, or withdraw, at its discretion, the permission to hold Lands in any case in which it shall see reason to apprehend that the possession of Land by any party would be detrimental to the public interests.

No. 4088 of 1843.

Territorial Department—Revenue.

Copy of the foregoing Circular is transmitted to the Revenue Commissioner S. D. for information.

By order, &c.,
L. R. Reid,
Chief Secretary.

Bombay Castle,
11th December 1843.

PUBLIC OFFICERS prohibited from Borrowing Money from Natives residing within their jurisdiction, &c. *See Government Circulars Nos.* 394 *of* 1843, 956 *of* 1844, *and* 2516 *of* 1846, *under* "Borrowing Money."

PUBLIC OFFICERS—The course to be pursued by —— when summoned to attend the Supreme Court at Bombay. *See Government Circular No.* 1686 *of* 1842, *and Resolution No.* 387 *of* 1855, *under* "Summons."

PUBLIC OFFICERS delivering over, and receiving, Charge of Offices, to report the same in a *Joint* Letter. *See Government Notification of* 24*th October* 1849, *under* "Charge of Offices."

PUBLIC OFFICERS—Rules requiring —— serving in the Belgaum and Dharwar Collectorates to pass an Examination in the Canarese Language.

Rules for providing for the qualification of the Revenue Servants of the Dharwar and Belgaum Zillahs in the Canarese Language.

Rule I. Persons other than those already in the Public Service are not to be considered eligible for employment in the Dharwar and Belgaum Zillahs until they have passed an examination in the Canarese language.

Rule II. The examination is to be passed before the usual Committee, at which the Collector, or one of his Assistants, should preside, at the Sudder Stations of the said Zillahs, and the scale of proficiency to be determined by the Collector.

Rule III. Persons already in the Government employ in the Zillahs in question, or who may hereafter be transferred thereto from other parts of the Presidency, shall be required, after a period of eighteen months from the date of these Rules, or that of their transfer to the said Zillahs, to pass an examination, before the Committee abovementioned; when, if found to be sufficiently qualified in the colloquial knowledge of the language, a further period of twelve months will be allowed for the acquirement of a proficiency in reading and writing Canarese character in common use in the transactions of business.

Rule IV. If failing to pass in a colloquial knowledge of the language at the aforesaid examination, a further period of six months may be allowed at the discretion of the Collector; but a deduction of one-fourth shall be made from the salary of the office which the person so failing, may, at the time, be holding. In the event of again failing at the second examination, or of no such examination being acceded to by the Collector, the unsuccessful individual shall be removed from office, his re-employment depending on a suitable vacancy in other Zillahs with the language of which he is acquainted.

Rule V. Failure to pass the examination in reading and writing, will, in like manner, render an incumbent liable to removal from office, but a further latitude may be allowed at the discretion of the Collector and with the concurrence of the Revenue Commissioner.*

D. A. Blane,
Revenue Commissioner S. D.

Extract paras. 4 and 5 of a Letter from Government to the Revenue Commissioner S. D, No. 4515 of 1845, dated the 16th September.

"Para. 4. Adverting to the Rules sanctioned by Government on 17th April last, for the passing of Native Servants in the Canarese language, His Honor in Council directs me to state, that when, as in the present instance, Canarese is the Native tongue of those affected by this Rule, the period of eighteen months allowed under Rule III., should be sufficient for the acquisition of writing and reading, the colloquial part being already acquired.

"5. In cases where the language is altogether foreign, the provisions of that

* The above "Rules" were forwarded to the Collectors of Belgaum and Dharwar on 23rd April 1845, No. 562, and the orders of 16th September 1845 on the 18th idem.

Rule may remain as at present. You are requested to communicate these instructions to the Collectors of Dharwar and Belgaum."

PUBLIC OFFICERS to submit all Applications for promotion or appointments to the Governor's Private Secretary.

General Department.

The Right Honorable the Governor in Council is pleased to direct, that all applications for promotions and appointments be preferred to the Private Secretary to the Right Honorable the Governor, and not to the Secretary to Government.

By order, &c.,
J. G. LUMSDEN,
Secretary to Government.

Bombay Castle,
7th May 1851.

PUBLIC OFFICERS.—On promotion to serve probationarily for one year.

Extract para. 4 *of a Joint Report No.* 1, *of the* 16*th October* 1845, *from the Revenue Commissioner N. and S. Divisions, to Government.*

" Para. 4. We would, however, venture an opinion that the object in view would be more satisfactorily obtained by careful observation and inquiries into the official aptitude of the individual as manifested in the discharge of the duties of the offices he may have already held,—these affording a more varied and practical standard for judging of his ability and resources under the exigencies which may arise in the course of real business than any special examination can do; and we are the more inclined to this opinion from finding it supported by the high authority of Sir Robert Peel, who, on the occasion of a suggestion being made in the last session of Parliament, for instituting a system of preliminary examination for the admission of employés into Government Offices, stated that he gave the preference to a plan of probationary appointments, to be confirmed at the expiration of one year, in the event of the individual having given satisfaction, which plan he had adopted in practice and found to answer."

Extract paras. 2 *and* 3 *of the Government Reply No.* 5593, *dated* 28*th November* 1845, *to the foregoing.*

" Para. 2. His Honor in Council further approves of the double check proposed in your para. 4, with regard to those already in the employ of Government, when appointed to fill higher offices; that careful observation and enquiries should first be made into the efficiency of each individual, as manifested in the discharge of such duties as he may have already performed; and further that his appointment should, in the first instance, be considered probationary, to be confirmed at the expiration of one year in the event of his giving satisfaction.

" 3. Finally I am desired to express the hope of His Honor in Council, that you will be careful to see that these rules do not become a dead letter."

PUBLIC OFFICERS in the service of the East India Company, leaving the Presidency to which they belong, other than in the known actual service of the said Company, and visiting Europe, their Salary and Allowances to be deemed as having ceased from the day of quitting such Presidency.

General Department.

The Honorable the Governor in Council is pleased to publish, for general information, the following Despatch from the Honorable the Court of Directors, dated the 10th April last, and its enclosures.

Public Department.

No. 12 of 1839.

OUR GOVERNOR IN COUNCIL, at BOMBAY.

We transmit to you a copy of a Despatch to the Government of Fort St. George, respecting an Officer of that Presidency, who obtained leave of absence to Egypt, and came thence to Europe, and we desire that the instructions therein conveyed may be applied to any similar case which may occur on the part of any Officer under your authority.

Public Despatch to Madras, No. 11, dated 13th March 1839.

We are, &c.,

London, 10th April 1839.

J. L. LUSHINGTON, and other Directors.

Copy of a Public Despatch to Madras, No. 11, *dated* 13*th March* 1839.

"Para. 1. Section XXXVII., 33rd Geo. III., Chap. 52, contains this Provision—"If any Officer whatever, in the service of the said Company, shall quit or leave the Presidency or Settlement to which he shall belong, other than in the known actual service of the said Company, the salary and allowance appertaining to his office shall not be paid or payable during his absence to any agent or other persons for his use, and in the event of his not returning back to his station at such Presidency or Settlement, or of his coming to Europe, his salary and allowances shall be deemed to have ceased from the day of his quitting such Presidency or Settlement, any law or usage to the contrary notwithstanding."

This provision is also re-enacted in the 3 and 4 Will. IV., Chap. 85, Sec. 79.

2. In the Madras Gazette we observe the following entry, viz. :—

"Fort St. George, 28th September 1838.

"The undermentioned Gentleman has obtained leave of absence from his station :—

"Walter Elliot, Esq., 3rd Member of the Board of Revenue, for six months, to visit Egypt, on private affairs, with permission to embark at Bombay."

3. The appointment of three Gentlemen to act during Mr. Elliot's absence as

Member of the Board of Revenue, as Canarese Translator to Government, and as Private Secretary to the Governor, is notified in the Gazette.

4. We learn also from the Bombay Gazette that Mr. Elliot sailed for Suez on the 1st of November, and from the Newspapers that he was at Malta in the month of January.

5. It may not have been Mr. Elliot's intention to come to Europe when he applied for leave of absence, and we presume that you at least were not aware of such an intention when the leave of absence was granted; but the rule which we have quoted is prescribed by law, and is imperative alike upon you and upon us. We must therefore direct that the appointments which were held by Mr. Elliot shall be considered as having been vacated from the date of his departure from the Presidency of Fort St. George."

By order, &c.,
W. S. Boyd,
Acting Secretary to Government.

Bombay Castle,
15th August 1839.

PUBLIC OFFICERS—European —— are never to be deputed on duty into Districts known to be unhealthy during the months of September and October.

Extract, being paras. 1 *and* 2 *of a Letter from Government to the Military Board, dated the* 13*th December* 1847, *No.* 3419.

"Para. 1. I am directed to acknowledge the receipt of your letter (No. 6555), dated the 8th ultimo, with enclosures, reporting the death of Serjeant Assistant Overseer Tudor, and one of his children, from fever contracted at the Thull Ghat.

"2. In reply I am directed to remark that experience has shown that the European constitution is particularly exposed to danger, during the months of September and October, from the deadly effects of Jungle miasma; and the present melancholy occurrence renders it advisable that specific and formal instructions should be issued for effectually guarding against the recurrence of a similar instance. The Honorable the Governor in Council is therefore pleased to direct, that it be a standing rule, in all Departments of Government, that no European shall be deputed during the above months into a neighbourhood known to be dangerous or unwholesome, unless the exigencies of the Public Service very urgently require his presence; and, that Officers at the Head of Departments will, in all cases, be held strictly answerable for the observance of this precaution; and, with this view, I am directed to request that you will issue the necessary instructions on the subject to the Departments under you."

* * * * * * *

PUBLIC OFFICERS not to be gratuitously supplied with Medicines at the Government Dispensaries. *See Government Notification of* 10*th November* 1852, *under* "Medicines."

PUBLIC OFFICERS—When —— are lent by the Heads of the Departments to which they belong to Officers employed on special duty, the period during which they may be so employed is to count for Pension.

No. 1435.

Extract from the Proceedings of the Honorable the President of the Council of India in Council, in the Financial Department, under date the 5th April 1855.

Read the following papers on the question whether, when a public servant is lent by the Head of his Office to an Officer employed on special Government duty, the period during which he is specially employed is to be allowed to count for Pension.

Endorsement from Home Department, No. 2, dated 30th December last.

Extract from Financial Department, No. 328, dated the 18th January 1855.

Endorsement from Home Department, No. 427, dated the 17th March last.

OBSERVATION.—On the 13th December last the Government of Bombay inquired, whether, when individuals, who are borne on the Public Establishment of Government, are lent by the Head of the Office to which they belong to Officers employed on special Government duty, the period during which they may be so specially employed, is to be allowed to count for Pension. Before replying to this question this Government inquired what was meant by the "lending" of a public servant to Officers on special Government duty, remarking—"If the servant *lent* continues in the service of Government during the loan, the time, as a matter of course, counts as service for Pension."

The Government of Bombay replies, that the following circumstances led to the submission of the question.

"At the suggestion of Mr. Ellis, employed on special Government duty, Mr. Spooner, the Collector of Ahmednuggur, nominated, on the 18th December 1849, one Kesheo Appajee to the situation of Karkoon in the Parnair Talooka of that Collectorate, on a salary of Rupees nineteen and annas eight per mensem, with permission to be absent from duty *without pay* for so long as he might remain in the service of Mr. Ellis."

Rs. 19-8-0.

Kesheo Appajee, who at present holds the situation of Probationary Chitnees at Sholapoor, brought to the notice of the Collector, that his name was omitted from the Abstracts of the Ahmednuggur Collectorate for the period (one year and six months) during which he served under Mr. Ellis.

"Mr. Loughnan, the Collector of Sholapoor, in a letter which he adressed to the Revenue Commissioner Southern Division on the subject, remarked":—

"The fact of Kesheo Rao's nomination is admitted by Mr. Bell,* but as Kesheo Rao did not join, and the name of the person who should only have been allowed to act in the situation was put upon the books instead of his, the record becomes imperfect and useless. As a special case, the period above specified

* Acting Collector of Ahmednuggur.

be now allowed to count as service entitling to Pension: it may, in future, be disallowed."

"The Civil Auditor was of opinion, that the period Kesheo Appajee was employed under Mr. Ellis on special Government duty should be allowed to count as service entitling to Pension, and suggested, in the event of Government acquiescing in that opinion, that a general order be passed by them to the effect, that when individuals who are borne on the Public Establishments of Government are lent by the Head of the Office to which they belong, to Officers employed on special Government duty, the period during which they may be so specially employed, is to be allowed to count for Pension,—each case as it arises being reported to the Officer by whom the Government servant was appointed to his fixed situation, and also through the Head of the Department to the Civil Auditor"; to which suggestion the Honorable the President in Council is pleased to accord his sanction.

Resolution.

ORDERED.—That a copy of the above Resolution be forwarded to the Home Department for communication to the Government of Bombay, and that the papers noted in the margin be returned.

Order—Copy of letter from Bombay to the Government of India, No. 960, dated the 5th March 1855.
Home consultation, 26th January 1855, No. 2122.

(A true extract)
C. HUGH LUSHINGTON,
Secretary to the Government of India.

No. 558.

Copy forwarded to the Government of Bombay, with reference to Mr. Officiating Chief Secretary Young's letter, No. 960, dated the 5th ultimo.

By order, &c.,
J. W. DALRYMPLE,
Under Secy. to the Govt. of India.

Fort William, Home Department,
the 24th April 1855.

PUBLIC OFFICES to be closed on Sundays.

Circular.

No. 2836 of 1846.

Territorial Department—Revenue.

To the REVENUE COMMISSIONER S. D.

SIR,—I am directed by the Honorable the Governor in Council to transmit to you the accompanying copies of a Notification on the subject of the discontinuance of ordinary official business on Sundays, and to request that you will enjoin its strict observance in the Departments under your control.

I have, &c.
R. K. PRINGLE,
Chief Secretary to Government.

Bombay Castle,
13th July 1846.

Notification.

Territorial Department—Revenue.

It being considered proper and desirable under a Christian Government that the transaction of ordinary official business should be discontinued, as far as practicable, on Sundays, the Honorable the Governor in Council is pleased to direct, that all the Honorable Company's Courts of Justice under this Presidency, and all Revenue Offices, whether at the Presidency or in the interior, and whether presided over by European or Native Officers, shall be closed, and generally that all Official business shall be suspended on that day, except such as is of urgency or of such a nature that its discontinuance would be obviously obstructive or detrimental to the public interests.

Published by order of the Honorable the Governor in Council,

R. K. PRINGLE,
Chief Secretary.

Bombay Castle,
13th July 1846.

PUBLIC OFFICES not to be lent, or used, for any Native Religious Ceremonies.

Circular.

No. 3056 of 1837.

General Department.

To the REVENUE COMMISSIONER.

SIR,—In extension of the Circular Orders, dated the 6th March 1837, I am desired to inform you, that the Right Honorable the Governor in Council is pleased to direct, that no Public Office of Government shall, on any occasion, be lent or used for the purpose of performing any rites or ceremonies of Hindoo, Mussulman or other Native Religions, in the same.

I have, &c.,
W. H. WATHEN,
Chief Secretary.

Bombay Castle,
7th November 1837.

PUBLIC OFFICES not to be used as Private Residences without the sanction of Government.

Notification.

General Department.

The Honorable the Governor in Council is pleased to resolve, that no Public Office shall be used as a Private Residence except with the permission of Government.*

By order, &c.,
W. ESCOMBE,
Secretary to Government.

Bombay Castle,
26th March 1844.

* See extracts from the Honorable Court's Despatch, dated 5th June 1833, and 18th June 1834, under "*Public Officers,*" and the Government Circular No. 1031 of 18th February 1848, under "*Buildings.*"

PUBLIC PROPERTY—Orders regarding the taking charge of ——.

Circular.

No. 2398 of 1840.

Judicial Department.

To all the JUDGES and MAGISTRATES.

SIR,—I am directed by the Honorable the Governor in Council to transmit, for your information and guidance, the accompanying extract, paras. 30 and 12, of the Honorable Court's Despatches, dated the 16th of May 1838, No. 31, and 24th April 1840, No. 3; and to request that you will be pleased, in conformity with the instructions therein communicated, to receive charge of any Public Property, when the Officer in custody of it is prevented, by any circumstance, from retaining charge of the same.

2. You will be pleased to communicate these instructions to your Assistants.

I have, &c.,

Bombay Castle,
11th September 1840.

W. R. MORRIS,
Secretary to Government.

Extract, para. 30, *of a Letter from the Honorable the Court of Directors, dated* 16*th May* 1838, *No.* 31.

"Para. 30. You express an opinion that it must be considered the duty of every Functionary under Government to take charge of Public Property when required to do so; we trust that this opinion has been duly promulgated; for, in the case which gave rise to our observations, all the Officers at the station declined the responsibility of taking charge of certain public stores."

Para. 3. In reply to the Court's observations on the expediency of having everywhere some functionary bound to receive charge of Public Property when the Officer in custody of it is prevented by any circumstance from retaining charge.

Extract, para. 12, *of a Letter from the Honorable Court of Directors, dated* 24*th of April* 1840, *No.* 3.

Para. 12. Approved: the instructions ought also to be communicated to the Governments of Madras and Bombay.

Para. 25. Court's instructions for the charge of Public Property by Public Officers, communicated to the Government of Bengal and Agra.

PUBLIC PROPERTY never to be sold or disposed of without the sanction of Government. *See Government Order No.* 253 *of* 1849, *and Extract of the Government Letter No.* 6573 *of 2nd November* 1849, *under* "Dead Stock."

PUBLIC WORKS—No —— to be carried on by either Government Officers or Contractors on a Sunday.

Notification.

General Department.

The Honorable the Governor in Council having had under consideration the propriety of causing the cessation of Public Works on Sunday, has come to the resolution that this measure should be universally established with respect to all works carried on, on account of Government, whether under direction of its own Officers, or through the agency of Contractors, except in cases of urgent necessity in which delay would be productive of serious public inconvenience, and that in these, if their urgency does not admit of the previous sanction of Government being obtained, an immediate report of the circumstances should be made to Government through the Military Board.

It is, therefore, hereby notified that in all future Contracts for the execution of Public Works, the discontinuance of such works on Sunday shall be an understood condition, whether any express provision to that effect be introduced into the Deed of Contract or not, and that no claim to deduction from the amount of the Contract, on this account, shall be admitted in any Contract executed subsequent to the date of this Notification.

By order, &c.,
R. K. PRINGLE,
Secretary to Government.

Bombay Castle,
26th January 1843.

PUBLIC WORKS.—Declaring it to be the duty of Government Officers to see that Contractors use good Materials.

Extract, being para. 3 *of a Letter from Government to the Revenue Commissioner, dated* 26*th September* 1846, *No.* 3447.

"Para. 3. It is, I am instructed to state, the duty of the Government Officers to take care that Contractors make use of good materials, and execute the work in a proper manner; and if they neglect this duty, Government must hold them responsible to do so."

PUBLIC WORKS—Responsibility of Officers entrusted with the construction of ——.

No. 1568 of 1850.

Territorial Department—Revenue.

To A. N. SHAW, Esq., Revenue Commissioner N. D.

SIR,—I have been directed by the Right Honorable the Governor in Council to transmit for your information and guidance the annexed copy of an extract, paras. 16 to 18, from a Despatch from the Honorable the Court of Directors to the Government of India, No. 22, dated the 14th November last.

Responsibility of Officers entrusted with the construction of Public Works.

2. A copy has been sent to the Collectors and Superintendents of Survey.

I have, &c.,
H. E. GOLDSMID,
Secretary to Government.

Bombay Castle,
28th February 1850.

Extract from a Despatch from the Honorable the Court of Directors in the Public Department, No. 22 of 1849, dated the 14th November.

" Para. 16. Under the circumstances of the case, we are not disposed to question the propriety of not holding Lieutenant —— personally responsible for the excess.

Excess Estimate of Rs. 322-6-6 for the construction of a Working-yard at Allyghur sanctioned.

" 17. We must observe, however, that an excess of expenditure beyond the Estimate by a plainly unauthorised deviation from the original plan indicates a serious breach of duty.

* * * * * * * *

" 18. In this instance it was difficult to discover which of the three Officers successively in charge of the work should be made to bear the blame; but in future when it is found necessary to place the construction of a work under the superintendence of several Officers in succession, each Officer, on his assuming charge, should be recommended to institute a strict examination of the work done, as compared with the original plan, and should be distinctly cautioned that he will be held responsible for all errors excepting such as he shall then discover to be attributable to his predecessors.

(True extract)
W. GREY,
Offg. Secy. to the Government of India.

(True extract)
H. E. GOLDSMID,
Secretary to Government.

PUBLIC WORKS—Form of Annual Valuation Return of all Buildings and ——, to be submitted on the 1st May of each year.

Notification.

General Department.

The Honorable the Governor in Council is pleased to direct that all Civil Authorities, under whose control any Buildings or other Public Works may be placed, will prepare annually, in communication with the Provincial Superintending Engineers, Departmental Valuation Returns of all Buildings within their respective ranges, agreeably to the following form, and furnish the same to the Military Board on the 1st May in each year—the Buildings in each Department being numbered consecutively.

AMENDED FORM.

Annual Valuation Return of all Buildings and Works appertaining to the ——— showing their Dimensions, Construction, Accommodation, &c.

Department. *Station.*

Registered Number.	Name of the Building or Work.	Dimension. Length.	Breadth.	Height.	Construction.	Date of Construction.	How occupied, and extent of Accommodation.	Original Cost.	Present Value.	Remarks.

By order, &c.,

Bombay Castle,
15th March 1843.

W. ESCOMBE,
Secretary to Government.

PUBLIC WORKS—Orders regarding the mode in which all correspondence connected with —— should be carried on with Government, &c.

Public Works Department.

1. The following is an Extract (para. 31) of a letter from the Honorable the Court of Directors, No. 96, dated 20th December 1854 :—

"In constituting a Department of Public Works, it will be necessary to divide the business coming before it into branches. For example, Canals of Irrigation, and other works connected with the Revenue administration, will belong to the Revenue Branch; Jails, to the Judicial; Roads and Bridges, to the Public; Churches, to the Ecclesiastical. We wish this classification to be observed in your correspondence, and in that of the subordinate Governments with us. Thus classified, the whole of the Public Works of India will be brought into view in one Department—'The Department of Public Works'—under which head our Despatches relating to them will be in future addressed to the several Governments."

2. In conformity with the instructions contained in this paragraph, the Right Honorable the Governor in Council has been pleased to resolve, that in future all correspondence with Government regarding Public Works shall be conducted by the Secretary to Government in the Public Works Department, instead of being

divided amongst the several Government Secretaries, who have heretofore conducted the correspondence of Government regarding Public Works according to the Department of the local Officers corresponding about them. He directs, therefore, that, with the exceptions mentioned in the following paragraph, all local Officers, whether Revenue, Judicial, or otherwise, will henceforth address all communications regarding Public Works to Government in the "Public Works Department" alone.

3. This rule is not to apply to Works under the control of Officers in the Military or Marine Departments, the correspondence relative to which will be conducted as heretofore by the Secretary to Government in those Departments; nor is it to extend to any Works executed within the limits and at the expense of Native States under the jurisdiction or control of Political Officers, who will continue to correspond with Government in the Political Department regarding such Works, unless advised otherwise in any particular case.

4. To enable Government more conveniently to carry out the change of system explained above, all Officers corresponding with Government in the Public Works Department regarding matters about which any correspondence may have already taken place between them and other Departments of the Secretariate, are requested to submit, with their first letter on the subject to the Department of Public Works, a summary, recapitulating distinctly what has already been done in each case, stating how it now stands, and quoting all previous correspondence regarding it.

By order, &c.,

Bombay Castle,
23rd May 1855.

W. Hart,
Secretary to Government.

PUBLIC WORKS—Applications for sanction to repair ——, should specify the Nature, Cost, &c. of the Works in the *margin.*

Extract, being paras. 1 *and* 2 *of a Letter from Government, to the Revenue Commissioner S. D., dated* 13*th June* 1850, *No.* 4648.

"Para. 1. I have been directed to acknowledge the receipt of your Memo., No. 2666, dated 25th ultimo, with enclosures, and to inform you, that the Right Honorable the Governor in Council has been pleased to sanction the acceptance of the Tender of Muccapa wullud Mullayah, amounting to Rupees (60) sixty, for the execution of new works to the Civil Buildings in the Territorial Department, at Sholapoor, for the year 1850.

"2. His Lordship in Council has directed me to inform you that, in future applications, a memorandum of the works should be given in the margin* or body, of the letter, so as to render it unnecessary for Government to record any of the accompaniments."

* Thus—

	Rs.	*a.*	*p.*
Mamlutdar's Kutcherry, at	0	0	0
Custom House, at	0	0	0
Collector's Kutcherry, at	0	0	0
Out-houses to the above three Buildings.....	0	0	0

PUBLIC WORKS—The particulars to be stated in all applications for sanction to the reconstruction or repair of —— .

General Department.

The Right Honorable the Governor in Council directs, that in all future applications for sanction to the reconstruction or repair of Public Buildings under this Presidency, it be stated when, at what cost, and under whose superintendence, the Building was constructed; and that similar information be given in regard to any repairs and alterations which may have been made to the Building.

By order, &c.,
J. G. LUMSDEN,
Secretary to Government.

Bombay Castle,
18th December 1850.

PUBLIC WORKS—Sanctions given for —— to be recalled if the Works be not commenced within twelve months, &c.

No. 2455 of 1844.

Territorial Department—Revenue.

To D. A. BLANE, Esq., Revenue Commissioner S. D.

SIR,—Instances having come to the notice of Government, in which the construction or repair of Wells, Tanks, &c., which had been sanctioned by the Collector or his Assistants under the discretionary power vested in them by the Government letters noted in the margin, had been delayed to protracted periods, the Honorable the Governor in Council is pleased to establish it, as a rule, that all sanctions given by a Collector or an Assistant for outlays on account of works of irrigation, shall be recalled, in cases where such works have not been commenced upon within twelve months from the date of the sanction; and that when any work has not been completed within two years, a report shall be made to the Revenue Commissioner by the Collector, who shall forward it to Government, with a full explanation of the cause of the delay.

Mr. Secretary Reid's letter to the Revenue Commissioner, No. 2824, dated 11th October 1832.
Do. do. No. 2022, dated 4th September 1835, paras. 11 and 12.

2. The Governor in Council is also pleased to extend the above rule to all Public Works specially sanctioned by Government, to which the villagers may have agreed to contribute.

3. You are requested to issue the necessary instructions on the subject to the Collectors under your control.

I have, &c.,
E. H. TOWNSEND,
Secretary to Government.

Bombay Castle,
30th July 1844.

PUBLIC WORKS—Collectors required to furnish, annually, Statements, showing the various —— which they recommend for execution in their Charges. *See Government Resolution No.* 4515 *of* 1854, *&c., under* "Works."

PUBLIC WORKS.—Manner of recovering Subscriptions of Ryuts towards local improvements. *See Extracts of Letters No.* 2152, *of* 28*th October* 1849, *under* "Tanks and Wells."

PUBLIC WORKS—Orders regarding the making of Advances for ——. The Heads to which such Advances should be debited in the Accounts, &c. *See (page* 81*) Government Notification of* 27*th April* 1855, *under* "Advances."

R

RAIN REPORTS—Collectors to submit their —— on the 1st and 15th of each month. The first report to be considered as due on the 15th June, and the last on the 15th October.

Circular.

No. 263 of 1853.

From E. G. FAWCETT, Esq., Revenue Commissioner N. D.,

To all the COLLECTORS N. D.

SIR,—With the view to uniformity in the dates of making Weather Reports during the Rains in this and the Southern Division, I have the honor to request that you will have the goodness for the future to submit reports on the 1st and 15th of each month.

2. The first report is to be considered due on the 15th June, and the last on 15th October. Should the weather however be unsettled so as to be likely to affect the revenue after that date, an extra report should be submitted.

3. The last Weather Report of the series should furnish information relative to the general state of the Crops and prospects of the Season, in addition to the state of weather for the fortnight under report.

I have, &c.,

Rev. Com.'s Camp, Kaira Districts,
Kupperwunj, 28th January 1853.

E. G. FAWCETT,
Revenue Commissioner N. D.

RAIN REPORTS—Collectors to mention in their ——, the existence and locality of any Epidemic Diseases or other considerable sickness in their Districts.

Circular.

No. 1339 of 1849.

To all the COLLECTORS N. D.

SIR,—I have the honor to request the favor of your mentioning in your Weather Reports the existence and locality of any epidemic disease or other considerable

sickness prevailing in your Districts, and that you will take measures to transmit these periodical reports within the period prescribed by Government.

I have, &c.,
A. N. SHAW,
Revenue Commissioner N. D.

Poona, Rev. Com.'s Office,
5th July 1849.

RAIN REPORTS.—State of the Crops and Prospects generally of the Season to be reported by Collectors in the last Rain Report of each year, instead of restricting the information to the fortnight immediately under report.

Extract para. 2 of Government Letter to the address of the Revenue Commissioner N. D., No. 5366, dated 23rd December 1847.

"Para. 2. I have also been instructed to request, that in the last Weather Report* of each year you will furnish information as to the state of the Crops and prospects generally of the Season in each Collectorate, instead of as hitherto restricting the information to the fortnight immediately under report.

* For Fortnight ending 15th October.

RAMOOSEES.—Orders regarding the keeping of Accounts of all Lapses of Land and other Allowances appropriated to Police purposes. *See Government Letter of 22nd November 1850, No 8602, under* "Land."

RECORDS—District —— to be in charge of the Head Karkoons, and the European Officers to be held personally responsible for their being kept in good order.

Extract, being para. 6 of a Letter from the Revenue Commissioner S. D., to Government, dated the 17th April 1847, No. 717.

* * * * * * *

"Para. 6. As regards the future preservation and regulating of these Records, it is quite necessary that a definite system be established. Some of the Collectors recommend that the Head Karkoon, both under the Mamlutdar and Mahalkurree, should be the person in charge of the Records, and this arrangement should, I think, be adopted. The Collectors should receive periodical reports of the progress of Ticketing the Records till the work is everywhere complete; and whenever a Head Karkoon or Mamlutdar is moved from one District to another, he and his successor should be required to report on the state of the Dufturs and their Registers. This is a subject that will call for the constant attention of the European Officers, but which, if due attention is paid to it in future, I do not think should involve Government in any extra charge on this account."

* * * * * * *

Extract, being paras. 4 and 5 of a Letter from Government to the Revenue Commissioner S. D., dated the 26th May 1847, No. 1936.

" Para. 4. The most stringent Rules, however, must be introduced for preventing the Records getting into confusion again. With this view the measures proposed in your 6th para. appear suitable, and are approved.

" Para. 5. A strict supervision, I am, in conclusion, instructed to state, should be exercised by your Department over the efficient observance of these Rules; and the European Officers should be held personally responsible for any confusion in their Records in future."

RECORDS.—Rules to be observed in Collectors' Offices for the preservation of the Kutcherry or Native Records, and their periodical examination.

Extract from the Government Circular of 30th March 1837, No. 1015.

RULE 3RD.—That correct Registers be kept of the Native Records, which should, as far as practicable, be compiled and bound up, like the English correspondence, at the expiration of each year. Such of the Native Records as cannot be bound up, should be assorted in bundles, according to their subjects, and tied up in " Roomals," or towels, and a ticket be affixed to the outside, denoting the subject, year, &c. to which the contents relate; a correct list of every paper being also placed in each bundle.

RULE 4TH.—That the " Whyees," or Account Books, should, at the end of the year, when no longer required for the purpose of making out Statements, &c., be tied up and sealed by the Dufturdar; and a ticket of the date and nature of the contents being fixed on the outside of each, they should be placed in order in the presses.

RULE 5TH.—That all the Koolkurnees (Village Accounts) be required to deliver up to the Mamlutdar, at the end of each year, all documents relating to that year.*

RULE 6TH.—That the volumes and compilations, &c. be kept in Teak-wood presses,† and examined at least once every three months, in order to preserve them from insects.

RULE 7TH.—That the Records of your office be, in the first instance, assorted under the superintendence of one of your Assistants, after which they should be entrusted to the charge of one of your higher Clerks, who should be responsible for their preservation.

RULE 8TH.—That one of your Assistants examine the Records at the Hoozoor once every three months, in order to see that the foregoing rules are carefully observed; the result of such examination should be reported, through you, to Government, in the General Department.

* See Extract of the Government Resolution No. 2592 of 1854, under "*Records.*"

† This rule is cancelled by the Government Circular Orders of 29th November 1842, No. 3503, which direct that all Records should be kept in *open shelves.*

RULE 9TH.—That each deputed Assistant be required to report annually, in like manner, whether the Records in the District Kutcherries are properly arranged and kept.

2. A strict adherence to the foregoing rules will, it is hoped, ensure the proper arrangement and preservation of your Records; but should any modifications, or suggestions, occur to you, as better calculated to secure the object in view, the Governor in Council will, I am directed to state, be prepared to take them into consideration.

RECORDS—Plan prescribed for keeping the English —— in the several Departments under the Bombay Presidency.

No. 2918 of 1852.

From E. G. FAWCETT, Esq., Revenue Commissioner N. D.,

To W. COURTNEY, Esq., Revenue Commissioner S. D.

SIR,—With reference to para. 2 of Government Resolution No. 6626, of 15th ultimo, requiring us to furnish, in a joint report, our opinion as to the system of keeping the English Records of the several local Departments, I have the honor to remark that there seems no necessity to defer the consideration of the subject till next monsoon. The object is merely to devise a simple and uniform system which each Establishment might accomplish without inconvenience to ordinary duties.

2. You will probably agree with me that the present strength of the Collectors' English Establishments is unequal to carry out the system of indexing pursued in the Secretariate, where several hands are, I believe, exclusively employed on this duty; but I believe that sufficient may be done for practical purposes in these offices without the State being put to extra expense on that account, by means of Tickets noting the subjects contained in each volume, under such headings as are given in para. 13. I beg to submit the following plan for your consideration, and for any improvement you may have to suggest, and when we are agreed I shall submit the plan to Government with a letter intimating that you concur in the same.

CORRESPONDENCE DEPARTMENT IN A COLLECTOR'S OFFICE.

3. Two General Registers to be kept, one for Inward, and another for Outward, Letters. In these are to be entered every letter received or despatched at the time of receipt or despatch.

4. The Inward Register to contain the following particulars, for which columns are to be appropriated as follows :—

Col. 1. General Register Number for the year to be also noted on the back of each letter on being registered.

Cols. 2 and 3. The date and number of the letter received.

Col. 4. The date of receipt of the letter in the office.

Col. 5. From whom.

Col. 6. The compilation or heading to which the letter belongs to be noted also on the back of the letter immediately after the general register number.

Col. 7. The subject of the letter.

Col. 8. Remarks. In this column the date of the disposal of the letter to be entered if replied to, recorded, or transferred to any other Department.

5. The Outward Register to contain the following particulars :—

Col. 1. Consecutive number of letters written in the year from 1st January to 31st December.

Cols. 2 and 3. The date and month.

Col. 4. To whom addressed.

Col. 5. The compilation or heading under which the letter is put. This to be noted also on the back of the office copy.

Col. 6. The subject.

Col. 7. Remarks. In this column the date of the reply if any be received should be noted.

6. The clerk who registers the letters must take great care to give each subject such a general heading as will most facilitate the trace of a correspondence at any future period.

7. Printed books to be registered as Inward Letters, when unaccompanied by a letter, the general number and heading under which they are put and date of receipt to be entered on the fly-leaf, with the words "for the use of the Collector of ———" and in the column of remarks in the Inward Register the word "recorded" should be entered. A separate list to be retained in the office, in which the books received are to be entered with the titles they bear. The keeper of this book or Register also to keep another book to note, when and by whom any printed book may be taken out for use and be returned.

Printed Books.

8. When a printed book is received with a letter, the number and date of the letter and receipt, and from whom, to be entered in the blank sheet in the book, with the words "for the use of the Collector of ———."

Correspondence.

9. The correspondence to be arranged for the year in four principal files as follows :—

1 General File of Correspondence.

1 File of Circulars or Standing Orders.

1 File of Petitions.

1 File of Jummabundy Reports, and all correspondence connected with this subject.

Periodical Returns.

10. Periodical Returns and Statements furnished to Government and the Revenue Commissioners to be entered in separate files. These need not be bound into volumes.

11. The subjects in the General File of Correspondence to be arranged and filed alphabetically in the order of the heading under which they have been registered, and each subject kept together, and one filed after the other as below :—

Arrangement.

Abkaree,	Boats,
Adoptions,	Buildings,
Assessment,	Contingent,
Assistants,	Dead Stock,
Batta,	or as the case may be.

12. If the General File becomes bulky, it may be divided and marked No. 1, 2, or 3, as far as required, with the correspondence alphabetically arranged in each file, viz. "File No. 1 A. to C." &c., and if any particular subject entails much correspondencee, such as "Assessment," "Bheels," &c., it should be filed in a separate compilation; but all subjects not extending to great length should be kept in the General File.

13. At the end of the year the File or Files containing the correspondence to be bound in one or more volumes, of convenient size, each volume to be paged, and a ticket put on the outside, exhibiting the subjects it contains, as below :—

	Page
Abkaree	1 to 20
Adoptions	21 to 50
Assessment	51 to 150
Assistants	151 to 160

and so on.

14. If the Establishment is able to make up an Index to each volume immediately after the close of the year, it should be pasted at the commencement of the volume, for which purpose dwarf sheets should be left; but if otherwise, the ticket on the face of the volume must answer the purpose.

Index.

15. The Circulars or Standing Orders to be filed in the order of the heading given to each subject, and alphabetically arranged, as in the General File of Correspondence. When the Circulars have attained a sufficient bulk to form a volume, they should be bound, and a ticket, noting the subjects, be pasted on the outside.

Circulars or Standing Orders.

16. In the File of Petitions the correspondence in each case to be entered in alphabetical order of the names of the Petitioners, and at the close of the year, or when the File is of a sufficient size, it may be bound into a volume and paged. An alphabetical list of the names of the petitioners to be prepared, with the substance of the petition as briefly as possible, indicating the pages comprised in each case, and fixed at the commencement of the volume.

Petition File.

17. Jummabundy Reports to be kept in one File, until the size is sufficient to form a volume, when it should be bound, leaving dwarf sheets to enter subsequent correspondence, or the reply of Government. The reports and correspondence of each year should be kept together, and a ticket be put on the face of the volume indicating the years to which the reports appertain.

Jummabundy Reports.

ACCOUNT DEPARTMENT IN A COLLECTOR'S OFFICE.

18. A separate Inward and Outward Register to be kept for the Account Department. This should comprehend all letters entered in the Correspondence General Register which are transferred to the Department, and contain similar particulars to the Correspondence Register. The Files should be arranged, and eventually bound up, on the same principle as in the Correspondence Department. Periodical Returns &c. should be filed separately, according to subjects.

NOTE.—This para. has been modified. Vide the memorandum from the Acting Collector of Tanna, No. 162 of the 26th January 1854, &c., which follow this letter.

MAGISTERIAL DEPARTMENT.

19. Subordinate Inward and Outward Registers to be kept as in the Account Department, and the following files be made up :—

The above marginal note applies to this para. also.

1 General File of Correspondence.
1 File of Circulars.
1 Do. Monthly Criminal Returns and all correspondence connected with them.
1 Do. Petitions.
1 Do. Precepts.
1 Do. Annual Reports.

20. Volumes to be bound and indexed, &c. as in the Revenue Correspondence Department.

21. I have no practical experience regarding the Offices at the Presidency, but I conceive that much the same plan would answer. Each should keep one General Inward and Outward Register, in which all correspondence should be entered on receipt and despatch. The form above indicated, I should think, would be applicable, as well as the principle of arranging the subjects, binding volumes, and indexing. When many subordinate offices are corresponded with, a compilation will probably be required to be made for each office, but general subjects extending to considerable length had better be put together.*

I have, &c.,
E. G. FAWCETT,
Revenue Commissioner N. D.

Rev. Com.'s Office,
9th November 1852.

* These suggestions were concurred in by the Revenue Commissioner S. D., and were directed, in the Government Resolution No. 1894, of 31st March 1853, to be adopted.

Memorandum.

No. 162 of 1854.

Territorial Department—Revenue.

The Acting Collector begs to state that, in introducing the new system of keeping Records, considerable difficulty is experienced in carrying into effect para. 18 of the letter of the Revenue Commissioner N. D., dated 9th November 1852, No. 2918, which directs "a separate Inward and Outward Register to be kept for the Account Department. This should comprehend all letters entered in the Correspondence General Register."

Vide Government Resolution No. 1894, dated 31st March 1853.

2. For a considerable portion of each year all letters regarding Accounts are opened by the Officer in Charge of the Sudder Station, the Collector being absent on Circuit. The General Inward and Outward Register of Correspondence of course accompanies the Office of the latter, so that to give effect to the order for registering all letters regarding Accounts in it, as well as in the separate register of the Account Department, will involve the necessity of sending them to the Circuit Kutcherry, wherever it may be, and cause considerable delay and interruption to business.

3. Similar effects will result if the Outward Letters regarding Accounts, written by the abovementioned Officer in the Collector's absence, are to be sent to the Circuit Kutcherry merely to be registered, numbered, and despatched. Besides. which the letters would not be registered, &c. on the dates which it would be necessary to insert in them at the Hoozoor.

4. The Acting Collector considers that these difficulties would be best obviated by continuing the practice which at present exists in this Office, according to which all letters regarding Accounts are registered in a separate register of the Account Department, which is always kept at the Hoozoor, and in that only: a discretionary power, however, is left to the Officer in charge of the Sudder Station of sending out to the Circuit Kutcherry, for record in the Correspondence Department also any letters, the subjects of which are of a mixed character. Under this head letters relating to Accounts from Government, the Revenue Commissioner, and the Sudder Adawlut, are included. This system is continued even when the Collector himself is at the Sudder Station, and has been found to work well.

5. The Acting Collector also begs to express his opinion that the rule in para. 19, requiring Subordinate Inward and Outward Registers in the Magisterial Department will occasion much unnecessary labour, and that it would be preferable to keep such Registers separately without re-entering their contents in the General Correspondence Department.

Tanna, Collector's Office,
26th January 1854.

J. N. Rose,
Acting Collector.

No. 743 of 1854.

Territorial Department—Revenue.

To the Revenue Commissioner N. D.

Forwarded for the Joint Report of the Revenue Commissioners Northern and Southern Divisions, with reference to the former proceedings ending with Government Resolution No. 1894, dated 31st March 1853.*

Bombay Castle,
7th February 1854.

H. E. Goldsmid,
Secretary to Government.

No. 584 of 1854.

From E. G. Fawcett, Esq., Revenue Commissioner N. D.,

To H. W. Reeves, Esq., Acting Revenue Commissioner S. D.

Sir,—With reference to Government Memo. No. 743, dated 7th instant, relative to the objections raised by the Acting Collector of Tanna to follow the system of entering in his General Register letters which pertain to the Account Department, I have the honor to observe, that when I suggested this mode of registry I was quite aware that it would cause some little extra trouble, but I considered it preferable to the evil of leaving it in the power of the Head Accountant to omit any documents that might be inconvenient to him. It had come to my knowledge about the period I submitted the scheme of arranging Records of the English Department (9th November 1852), that such a case had occurred in Khandesh, which induced me to suggest the alteration.

2. However, if, as a part of their duties, the Hoozoor Deputy Collectors were to look after the Registers in the Account Department, the objection would have less force, and the instructions to enter the letters of the Account Department in the General Register may be withdrawn, and also in the Magisterial Department, if found inconvenient. The Hoozoor Deputies should however he held responsible that the letters are daily registered, and for this purpose they should attach their initials to the Registers, Inward and Outward, daily, while the letters received and despatched are fresh in their memory.

3. If you concur in the above, I will intimate to Government that we are agreed, and solicit their authority for modifying the former instructions.

I have, &c.,

Rev. Com.'s Office, Camp Dhoolia,
22nd February 1854.

E. G. Fawcett,
Revenue Commissioner N. D.

No. 624 of 1854.

Territorial Department—Revenue.

Submitted with reference to the Government Memo. No. 743, dated 7th instant.

2. The Acting Revenue Commissioner Southern Division, has under date the

* Quoted in the Foot-note to page 816.

25th instant, intimated that he concurs in the modifications proposed by the Revenue Commissioner Northern Division.

E. G. FAWCETT,
Revenue Commissioner N. D.

Rev. Com.'s Office, Camp Dhoolia,
27th February 1854.

No. 1398 of 1854.

Territorial Department—Revenue.

To the REVENUE COMMISSIONER N. D.

Copy of the Resolution passed by Government, under date 16th March 1854, on a Memorandum from the Revenue Commissioner N. D., No. 624, dated the 27th February 1854, with enclosure, suggesting certain modifications, approved of by the Acting Revenue Commissioner Southern Division, under date 25th idem, in the Rules of 31st March 1853, for the proper keeping and registry of Public Records.

Authorised.

H. E. GOLDSMID,
Acting Chief Secretary to Government.

RECORDS—Means of preventing the destruction of —— by White Ants.

No. 59.

From W. HART, Esq., Inam Commissioner,

To A. MALET, Esq., Chief Secretary to Government, Bombay.

SIR,—In consequence of the recent destruction of two portions of the Poona Duftur entrusted to the charge of Collectors, I have been led to endeavour to devise some substitute for the attention and carefulness which would be the *proper* safeguards of important Records, but which, unfortunately, cannot always be ensured.

2. As it is impossible to imagine that White Ants, notwithstanding their proverbial sagacity or instinct, can have any particular predilection of their own for destroying the most important kind of Records, and very difficult to believe that they could be set on to destroy them by knaves interested in their destruction (though this is not wholly impossible), the natural inference is, that if very valuable Records, regarding the custody of which Government have given especial and stringent instructions, are, in the first report about them which is required, reported as destroyed, those Records throughout the Presidency, whether valuable or not, regarding which no such particular caution has been given by Government, and regarding the state of which no reports are required, must be in a very dangerous predicament. It seems desirable, therefore, to contrive some cheap and feasible means for lessening even one of the dangers to which Records must be exposed in this country in the absence of constant and careful supervision.

3. Some of the easiest means which occur to me for obviating the attacks of White Ants are the following :—

1. Where boxes are used, they should in the first place be repeatedly well sponged for several days, both outside and inside, with a strong solution of Sulphate of Copper (the common blue-stone or Morthooth of the bazar) in water. They should also be lined with common brown paper, first saturated in the same solution, and dried in the shade; and a similar solution should be used, instead of simple water, in making the paste required in lining the boxes.

2. The supports of boxes or Duftur shelves should rest in, or arise from, stone or hard earthenware saucers, containing a similar or weaker solution of blue-stone, a very small quantity of oil being added to form a pellicle which will help to prevent the evaporation of the solution.

3. All Duftur Roomals should in the first place be soaked in the same solution, and then simply dried before being appropriated to keep papers in.

4. Of course precautions should be taken to prevent accidents from the use of the poisonous wash which I recommend during its preparation, though it is less dangerous than others when once in use, as it does not seem to give out noxious fumes in the same manner as some preparations of arsenic and mercury. It has another recommendation in being very cheap.

I have, &c.,
W. Hart,
Inam Commissioner.

Dated 6th September 1851, at Belgaum.

No. 957 of 1851.

To the Secretary to Government, Revenue Department.

Sir,—In reply to the reference which Government have done me the honor to make to me on the subject of preserving Records from White Ants, I have the honor to state my opinion—

2. That the plan proposed by Mr. Hart of opposing them by means of Sulphate of Copper appears to me in principle good.

3. At the same time I feel a doubt as to the efficacy of merely sponging the inside of the boxes with the solution. I think it would be preferable to have deal or other planks steeped in a tank containing the solution, as is done in England.

4. The wood, particularly if it be deal or saeer (cotton tree) thus takes a full dose of the solution.

5. With respect to paper for lining the boxes, I am of opinion that, under the above arrangement, paper would not be necessary, which is in so far an advantage, as paper in such situations has, I think, a great tendency to breed moths and cock-roaches, the latter almost as destructive to paper as White Ants.

6. With respect to the Roomals, it does not appear to me clear that if wetted

with the solution in any strength they may not become corroded and rotten, but on this head I feel doubtful, and therefore think an experiment should be made.

7. In any case I think it might be preferable that the Roomals be dipped in a solution of corrosive sublimate (Ruscapoor), which is also cheap and of Native manufacture.

8. The plan recommended by Mr. Hart for the stands of shelves appears to be the best practicable, except in Kutcherries situated in sandy countries, where the expense might possibly be saved, by placing the feet of the supports on stone pedestals surrounded by sand heaped up in a box or a pan.

9. The original documents are herewith returned.

I have, &c.,
A. GIBSON,
Conservator of Forests.

(True copies)
A. MALET, Chief Secy. to Government.

Hewra,
19th September 1851.

RECORDS—The expense of constructing Shelves for the —— of District Hereditary Officers, when necessary, to be paid by Government.

Extract, being para. 7 of a Letter, dated the 10th May 1852, No. 1067, from the Revenue Commissioner S. D. to Government.

"Para. 7. My own opinion is, that whenever it is necessary to make separate provision for Records of this description, the cost of putting up shelves, &c., should, in all cases, be borne by Government; but before issuing instructions for the observance of an uniform practice in the Division, I should be glad to be favoured with the orders of the Right Honorable the Governor in Council on the point under discussion."*

RECORDS—Orders regarding the custody of Village —— .

Extract, being para. 10 of a Letter from the Revenue Commissioner S. D. to Government, dated 17th March 1854, No. 909.

"Para. 10. According to the 5th paragraph of the Government Circular of 30th March 1837, No. 1015, all Koolkurnees should deliver up to the Mamlutdars of their Districts, at the end of each year, all documents pertaining to that year†; and by Mr. Commissioner's Townsend's orders approved of in the Government Letter, dated the 26th December 1850, No. 9841, and circulated in this Division on the 3rd January following, all Koolkurnees going out of office are required to transfer their "entire Duftur to their successors." It will be seen, however, from the foregoing paragraphs that no uniform system is followed in this Division in respect to the arrangement and custody of Village Records; and I therefore respectfully

* This opinion was concurred in by Government, on the 11th June 1852, No. 4075.

† See Rule 5th, at page 812.

propose the following Rules, which, if approved of, can be translated and circulated for the guidance of the several Collectors and their subordinate officers:—

"1*st*. The Khata and Keerdee Wuhees (or Day Books and Ledgers) of only the year current and preceding are to be retained by the Koolkurnee in office, all those of older date being transferred, at the close of every second year, to the Mamlutdar of the Talooka.

"2*nd*. All other accounts, papers, &c. prepared for official purposes by the officiating Koolkurnee to be retained by him, care being taken that such papers are properly assorted and registered.

"3*rd*. These Records and their Ferists (lists) to be inspected by the Collector, the Assistants, and Mamlutdars on every occasion of their visiting the Village where the Koolkurnee may reside, the date of inspection being noted in the documents by the examining Officer with his signature in full.

"4*th*. All the Records referred to in Rules 1st and 2nd to be duly transferred by Koolkurnees going out of office to their successors, whose receipts for them should be forwarded immediately to the Mamlutdar.

"5*th*. In cases where the Koolkurnee has the conduct of the duties of two or more Villages, the Records of each Village are to be kept perfectly distinct from those of the others.

"6*th*. The officiating Koolkurnee to be left to provide for the custody of his Records in the way he may think best calculated to ensure their safety, *i. e.* he may either deposit them in the Village Chowdee (where guarded), or keep them, as is now generally done, in his own house. He is, however, to be held responsible for their preservation in a cleanly and serviceable state, as well as for their immediate production when called for.

"7*th*. All infringements of the foregoing Rules to be reported to the Collector without delay."

Extract, being paras. 1 *and* 2 *of a Government Resolution addressed to the Revenue Commissioner S. D., under date the* 1*st June* 1854, *No* 2592.

"The proposed Rules approved.

"2. The Revenue Commissioner is to see that these Rules are strictly enforced by the local Officers, and not allowed to remain a dead letter, as appears to have been done with regard to the Government orders referred to in Mr. Reeves' 10th paragraph, as also with regard to the instructions conveyed in para. 2 of Government Letter of 29th October 1847."

RECORDS—District, or Village, Wuttundars, whether officiating or not, cannot withhold —— connected with their Wuttuns and Service.

Extract paras. 1, 2, *and* 4 *of a Government Letter to the Revenue Commissioner, No.* 717, *dated the* 29*th February* 1844.

"Para. 1. I am directed by the Honorable the Governor in Council to acknowledge the receipt of your letter, No. 1427, dated the 25th December last, submitting

one with enclosures from the First Assistant Collector in charge at Sholapoor, recommending the attachment of the Wuttun of the Deshpandia of "Mungolee," on the ground of his withholding certain Records which, by virtue of the Wuttun, he is bound to keep.

"2. There ought, I am desired to observe, to be the means of enforcing the demand for such papers, since the great object of the Wuttun itself is their preservation,—so as to be forthcoming whenever they are required by Government.

* * * * * * *

"4. It is unquestionably the duty of the Deshpandia to preserve, and to produce, such documents as he has now been called on for. If such documents are known to be in the possession of the family, an order should, I am desired to observe, be written to the Deshpandias, as a family, to produce them; and on failure to do so, it will be for Government to determine, whether, as the object for which the Wuttun was instituted is abandoned by the parties, it will not be advisable to abolish it altogether. If the papers are known to be in the possession of one individual of the family, and he will not produce them, his share of the Wuttun should be stopped, until he comply with the demand, or such other means should be used as the Regulations will admit."

RECORDS—No more —— to be taken out by Assistants on Deputation than are absolutely required.

Extract, part of para. 2 of a Letter from Government to the Revenue Commissioner, dated 5th September 1834, *No.* 2385.

"Para. 2. As it appears that the Assistants frequently carry about with them an unnecessary quantity of Records, you are requested to instruct the Collectors to prevent this practice as much as possible."

RECORDS—Whenever copies of papers are furnished to private individuals from the Government ——, the copying of the same to be paid for by the applicants.

Notification.

General Department.

In supersession of the Notification of the 17th January 1820, the Honorable the Governor in Council is pleased to resolve, that whenever copies of documents from the Records of Government are furnished for the use of individuals, they shall be charged for at section rates,* *i. e.* the actual expense incurred in making the copy.

By order, &c.,

Bombay Castle,
21st September 1843.

W. Escombe,
Secretary to Government.

* For these Rates see the Civil Auditor's letter No. 1023 of 19th February 1842, under "*Section Writers.*"

Notification.

General Department.

The Notification of the 21st September 1843, published in the Government Gazette of 23rd idem, laying down the rates to be charged for copies of papers furnished for private use from the Records of Government, is intended to apply to papers whether in the English or Native language.

By order, &c.,

W. ESCOMBE,
Secretary to Government.

Bombay Castle,
8th April 1844.

RECORDS—Orders regarding the furnishing of copies of Correspondence from the Government ——, to parties engaged in Civil Suits. *See Government Letter No.* 6400 *of* 1850, *under* "Suits."

RECORDS—Defining what particular —— are open to inspection when cited as proof in suits against Government or its Officers. *See the Government Circulars No.* 565 *of* 1846, *and No.* 2585 *of* 1852, *both under* "Suits."

RECORDS—The Survey Department —— how to be disposed of on the revision of Assessment in any one District being completed.

Extract, being paras. 2 *to* 4 *of a Letter from Government to the Revenue Commissioner S. D., No.* 5033, *dated* 8*th May* 1851.

"Para. 2. In reply, I have been desired to observe that, all the opinions received are adverse to the plan of putting the Collectors in charge of the Records of the Departments whose Superintendents have been consulted, at least for so long as those Departments exist.

"3. His Lordship in Council sanctions the adoption of Captain Wingate's proposition, that the Collectors should furnish room where such room is available, and where none is, a separate room should be constructed, so that on the completion of the survey of a District, the Records may be kept by the Collector apart from the other Records of his office, and the Dufturdar be held responsible that they do not become mixed with the latter. The Records should be entered in a catalogue before being made over to the Collector's Department; and whenever one of the documents is taken out by the Collector for reference, the date of its being so taken, and of its being returned, should be entered in a bound book kept for the purpose, and signed by the Dufturdar or Naib, or if both are absent from the Sudder Station, by the Head Duftur Karkoon.

"4. The Governor in Council does not consider it necessary that the room should adjoin the Collector's Kutcherry: in Poona, for instance, a good room in one of the Palaces in the city might be set apart for the purpose."

REGISTERS.—Whenever an authority is directed by Government to take measures for providing an individual with an appointment, the order, until actually carried into effect, to be entered in the Quarterly List of Unanswered References. *See Government Resolution No.* 5071 *of 9th November* 1854, *under* "Unanswered References."

REGULATIONS—Every Candidate for the Office of Pleader purchasing a copy of the ——, to be furnished with a Certificate of his having done so.

Circular.
No. 2569 of 1845.
Judicial Department.

To the Collector of ————.

Sir,—I am directed by the Honorable the Governor in Council to transmit to you the accompanying copy of a letter from the Registrar of the Sudder Adawlut, dated 9th ultimo, and to request that to every Candidate for the Office of Pleader purchasing a copy of the Regulations in either Goojrathee or Murrathee, you will furnish a certificate of his having done so.

2. With regard to the suggestions of the Judges of the Sudder Adawlut, that Collectors may be supplied with copies of the Regulations for sale, I am directed to inform you, that instead of keeping up a stock of Regulations in your Office, the Governor in Council authorizes you to obtain such number of copies of the Regulations as you may require, from the Collector of Land Revenue, and the translation of the Acts from the Superintendent of the Government Press, giving those Officers respectively credit in each instance for the price of the works.

I have, &c.,
W. Escombe,
Secretary to Government.

Bombay Castle,
2nd August 1845.

RELIGION—Interference with the —— of the Natives strictly prohibited.

No. 4132 of 1847.
Territorial Department—Revenue.
To E. H. Townsend, Esq., Revenue Commissioner S. D.

Sir,—In transmitting, for your information, copies of a letter from the Secretary to the Government of India, No. 789, dated 7th ultimo, with its enclosure, I am directed to state, that though the Governor in Council does not perceive that, under this Presidency there occurs any such interference with the Religion of the Natives as may, in other quarters, have excited the attention of the Honorable the Court of Directors, he nevertheless considers the communication to you of the injunction of that authority necessary, in order to the adoption of proper measures

to secure strict attention to their orders at all times, "without giving occasion to any public discussion of them."

I have, &c.,
J. G. LUMSDEN,
Acting Secretary to Government.

Bombay Castle,
29th October 1847.

No. 789.

From G. A. BUSHBY, Esq., Secretary to the Government of India,
To W. ESCOMBE, Esq., Secretary to the Government of Bombay.

Dated 7th September 1847.

SIR,—I am directed by the President in Council to transmit to you, for the information of the Honorable the Governor in Council, copy of a Despatch from the Honorable the Court of Directors, No. 3, dated the 21st April 1847, regarding the principle of non-interference by the Servants of Government with the Religion of the Natives.

2. The President in Council, with the concurrence of the Right Honorable the Governor General, does not deem it expedient to adopt any further measures for enforcing the orders of the Court, than to recommend His Honor in Council to communicate them to such high and confidential members of the Service as may be able, by their influence, to prevent any contravention of the principle laid down by the Court, or who may, by their Reports, enable the Government to interfere by admonition in cases where interference may become necessary.

3. It is the intention of the Government of India to address the Home Authorities in consequence of some doubts which have arisen as to the precise extent to which the Court propose to prohibit the interference of their Servants in Religious matters; and in the interval, pending a reply to the reference, the President in Council confidently relies on His Honor's judgment and discretion, so to observe the proceedings of subordinate Officers as to be enabled to check practices which are a manifest violation of those orders without giving occasion to any public discussion of them.

I have, &c.,
G. A. BUSHBY,
Secy. to the Govt. of India.

Fort William, 7th September 1847.

Judicial Department.

No. 3 of 1847.

OUR GOVERNOR GENERAL OF INDIA IN COUNCIL.

Non-interference of the Servants of the Government with the Religion of the Natives.

"Para. 1. You are aware that we have uniformly maintained the principle of abstaining from all interference with the Religion of the Natives of India.

2. It is obviously essential to the due observance of that principle that it should be acted upon by our servants,—Civil and Military. The Government is known throughout India by its Officers with whom it is identified in the eyes of the Native inhabitants, and our servants should, therefore, be aware that, while invested with public authority, their acts cannot be regarded as those of private individuals.

3. We are, however, led by circumstances of recent occurrence, to conclude that a different view of this subject is taken in India; and we therefore deem it necessary to call your immediate and particular attention to the absolute necessity of maintaining this most important principle to its fullest extent."

London,
21st April 1847.

We are, &c.,
H. St. G. Tucker, and other Directors.

(True copy)
G. A. Bushby, Secy. to the Government of India.

(True copies)
J. G. Lumsden, Acting Secretary to Government.

RELIGIOUS CEREMONIES—Share to be taken by British Functionaries and Troops in Native —— :

Circular.
No. 2424 of 1841.
Territorial Department—Revenue.

To ——————.

Sir,—I am directed by the Honorable the Governor in Council to transmit, for your information and guidance, the accompanying copy of a letter from the Honorable the Court of Directors, dated 31st March, No. 11 of 1841, to the address of the Government of India, and to request that the instructions therein contained may be carried into effect in such a careful and judicious manner, as will, without involving any serious delay, *best* fulfil the intention of the Honorable Court, as expressed in the last paragraph of the Despatch.

I have, &c.,
L. R. Reid,
Chief Secretary.

Bombay Castle,
31st July 1841.

Legislative Department.
No. 11 of 1841.

Our Governor General of India in Council.

1. In our Despatch, under date the 3rd of March, in the Revenue Department, No. 2 of 1841, we expressed our satisfaction at the progress made under the Presidencies of Bengal and Bombay, for effecting a final and complete separation of Government from all share in the management of the affairs of Native Temples;

and we observed, that the same principles were equally applicable to the Presidency of Madras, and desired that they might be acted upon at that Presidency accordingly.

2. We now advert to the attendance of Troops, or of Military Bands, at Native Festivals or Ceremonies, and to the firing of Salutes on occasions of that nature, which practices, though not expressly mentioned in that Despatch, are to be dealt with so as to promote the same object, viz. that of separating the Government and its Officers, as far as possible, from all connection with the Ceremonies of the Hindoo and Mahomedan Religions.

3. With that view we refer you to our instructions conveyed in the Political Despatch to Bombay, under date 3rd March 1841 (No. 3), para. 9, in which we desired, with respect to certain Festivals greatly respected by His Highness the Guicowar, that the attendance of British Functionaries or Troops at the processions themselves, or on the spot where any of the Religious Ceremonies are performed, shall not be resumed; but that the attendance shall be given, and the marks of respect paid to His Highness at his palace on the occasion of his going forth and returning. Our wish is that this rule should be made general, and accordingly applied to all occasions upon which it has been usual to appoint escorts to Natives of Rank on their way to places of Religious Worship.

4. We further desire that no Troops or Military Bands of Music be called out, and no Salutes fired in honour of the festivals themselves.

5. With respect to the decoration of idols and images, or the presentation of offerings to them,—these are practices in which no one, in his capacity of an Officer of our Government can, with propriety, be required to take part. They are practices which obviously belong to those only by whom the Religious Ceremonies are celebrated; and if they have not already been everywhere discontinued, in the case of our own Functionaries, they must be entirely put an end to.

6. In conclusion, we need scarcely impress upon you the importance of your carrying these instructions into effect, in such a manner, as to assure the Natives that our Government will never fail to protect them in the exercise of their privileges, and to manifest a liberal regard for their feelings.

We are, &c.,

London,
31st March 1841.

W. B. Bayley, and other Directors.

RELIGIOUS CEREMONIES—In submitting charges on account of Allowances for Native ——, certificates that the ceremonies were actually performed, are not necessary. *See Government Letter No.* 3681 *of* 1842, *under* "Allowances."

RELIGIOUS ESTABLISHMENTS—Rules for adjudicating Claims to Allowances granted for the support of——. *See the Rules of 20th September* 1852, *under* "Allowances."

RELIGIOUS ESTABLISHMENTS—Withdrawal of Government from the management of Native ——, and provisions for the filling up of vacancies in Committees entrusted with such management.

No. 1657 of 1841.

Territorial Department—Revenue.

To J. VIBART, Esq., Revenue Commissioner.

SIR,—In reference to my letter No. 1637, dated the 18th instant, I am directed to transmit for your information, copy of a letter from the Secretary to the Government of India, dated the 5th ultimo, and an extract, paras. 4 and 5, of the reply thereto, of this date, on the subject of the withdrawal of the interference of Government from the Native Religious Institutions of the country.

I have &c.,

Bombay Castle,
22nd May 1841.

L. R. REID,
Chief Secretary.

No 41.

Revenue Department.

To L. R. REID, Esq., Chief Secretary to Government, Bombay.

SIR,—I am directed to acknowledge the receipt of your letter No. 616, dated the 27th February last, detailing the proceedings of the Honorable the Governor in Council in withdrawing from all interference in the management of the Native Religious Establishments of the country.

2. The Right Honorable the Governor General of India in Council approves the orders of the Bombay Government as indicated in the Resolution, and requests that he may be favored with a report on those points, on which further information has been called for, particularly in regard to the management of the village of Kaira, noticed in paras. 25 to 28 of the Resolution.

3. His Lordship in Council is of opinion that in order to obviate all necessity for any interference in future on the part of Government, it will be advisable to make a specific provision for filling up vacancies that may occur in the Committees of Natives to whose management the concerns of the Temples are to be made over; where circumstances admit of the arrangement, the power of electing to vacancies may be given to the community interested in the endowment. But where no such communities exist, the election may be left with the Committees themselves. Upon this point His Lordship will be happy to receive a report of the sentiments of the local Government.

4. The large powers possessed by the Company's Courts as Courts of Equity and good conscience would seem to render unnecessary the passing of a law of the nature alluded to in paras. 12 of the Resolution: the Governor General in Council

is anxious to avoid, as far as possible, recourse to legislative measures on any point of the difficult question now happily in course of adjustment.

Dharwar.....	Rs.	8,327	0	8	Belgaum Tax.
Poona.....	„	1,535	4	2	Idol Offering.
Ahmednuggur	„	105	5	9	Do.
Surat and Broach.....	„	4	2	10	Do.
	Rs..	9,972	4	9	

5. His Lordship in Council is pleased to authorise the relinquishment of the revenues as per margin, referred to in para. 29 of the Resolution.

I have, &c.,

J. H. Maddock,
Secy. to the Govt. of India.

Fort William,
the 5th April 1841.

Extract of a Letter to the Secretary to the Government of India, dated 22nd May 1841.

"Para. 4. The Governor in Council is not aware of any objection to the mode recommended in your 3rd para. of supplying vacancies in the Committee to whom the management of Religious Establishments is entrusted; and they will accordingly be adopted wherever practicable.

"5. His Honor in Council admits the inexpediency of legislating in regard to the delicate subject of Hindoo or Mahomedan Religious Institutions, and concurs in opinion with his Lordship in Council that the Company's Court may act under existing laws, so as to render any further enactment unnecessary. At all events the experiment should be tried."

(True copies)

L. R. Reid,
Chief Secretary.

RELIGIOUS ESTABLISHMENTS—Public Servants not to be Members of any Committee for the Management of Native ——.

No. 4791 of 1845.

Territorial Department—Revenue.

To J. S. Law, Esq., Acting Collector of Tanna.

Sir,—In acknowledging the receipt of your letter No. 91, dated the 13th ultimo, reporting the manner in which the withdrawal of Government from the superintendence or management of Native Religious Establishments has been carried out in the Tanna Collectorate, under the Government Circular Order dated the 27th February 1841, I am directed to observe, with regard to the last clause of your letter under acknowledgement, that the Honorable the Governor in Council is pleased to direct, that no Native Public Servant shall be allowed to be a member of any Committee for the management of these Establishments.

2. His Honor in Council is of opinion, that if Native Public Servants were permitted to exercise such interference in their private capacity, their full Official

interference would be resumed, and the order forbidding it would become a dead letter.

I have, &c.,
E. H. TOWNSEND,
Secretary to Government.

Bombay Castle,
15th October 1845.

No. 5952 of 1845.

Territorial Department—Revenue.

To D. A. BLANE, Esq., Revenue Commissioner S. D.

SIR,—I am directed by the Honorable the Governor in Council to acknowledge the receipt of your letter (No. 1855), dated 21st ultimo, handing up one, with enclosure, from the Collector of Ahmednuggur, and in reply to inform you that, the order contained in the Government Letter (No. 4791), dated 15th October last, to the address of the Acting Collector of Tanna, a copy of which was forwarded to you on the same date, prohibiting Native Public Servants from being Members of any Committee for the Management of Religious Establishments, does not apply to the Hereditary District and Village Officers, but solely to the Stipendiary Servants of Government.

I have, &c.,
E. H. TOWNSEND,
Secretary to Government.

Bombay Castle,
15th December 1845.

RELIGIOUS ESTABLISHMENTS—Orders regarding the filling up of Vacancies in the Committees appointed to manage Native —— .

No. 3591 of 1854.

Territorial Department—Revenue.

To the ACTING REVENUE COMMISSIONER S. D.

Copy of the Resolution passed by Government, under date 27th July 1854, *on a Report by the Collector of Rutnageeree, No* 1057, *dated 15th May* 1854, *on a Petition from Bhickajee Bullal, Rahalkur, Mahajum and Wuttundar of Warra Guneshpoolay, Kuryat Nevren, Talooka Rutnageeree, dated 27th January* 1854.

The Petitioner to be referred to the Collector, who should dispose of his request, as also of similar requests by other parties interested in any cases that may hereafter come to his notice, according to the instructions conveyed in para. 3* of letter from the Government of India, of 5th April 1841, No. 41, of which extract was sent for the information and guidance of the several Collectors with Circular dated 22nd May 1841, No. 1654.

* His Lordship in Council is of opinion, that, in order to obviate all necessity for any interference in future on the part of Government, it will be advisable to make a specific provision for filling up vacancies that may occur in the Committees of Natives to whose management the concerns of the Temples are to be made over: where circumstances admit of the arrangement, the power of electing to vacancies may be given to the community interested in the endowment. But where no such communities exist, the election may be left with the Committees themselves.

2. The attention of the Officers under their control to be directed to this Circular by the Revenue Commissioners. The Commissioners at Sattara and in Sind, also, to be furnished with a copy.

C. E. F. TYTLER,
Offg. Secretary to Government.

RELIGIOUS ESTABLISHMENTS—Assistant Collectors to refrain from stopping payment of Wurshasun Allowances to Temples, in cases where they may have any doubt as to the validity of the title, without first obtaining the permission and sanction of the Collector.

Circular.

No. 3118 of 1853.

From E. G. FAWCETT, Esq., Revenue Commissioner N. D.,

To J. W. HADOW, Esq., Acting Collector, Ahmedabad.

SIR,—Under instructions from Government, dated the 17th instant, No. 6085, I have the honor to request that you will instruct your Assistants to refrain from stopping payment of Wurshasuns or Allowances to Temples, in cases where they may have any doubt as to the validity of the title, without first obtaining your permission and sanction.

I have, &c.,
E. G. FAWCETT,
Revenue Commissioner N. D.

Rev. Com.'s Office,
Camp Boregaum, 22nd October 1853.

RELIGIOUS INSTITUTIONS—Government have no desire to interfere in the management of the Funds of ——, but consider that the just rights of Poojarees should be upheld.

Extract, being paras. 1 and 2 of a Government Letter to the Revenue Commissioner S. D., dated 10th June 1850, No 4569.

"Para. 1. I have been directed by the Right Honorable the Governor in Council to acknowledge the receipt of your Report, No. 2540, dated 18th ultimo, with enclosures, relative to the Petition from Govind Junnardhun Bhut, Kakuthur, Poojaree, and another, regarding their allowances for service at the Rameshwur Temple in Malwun, of the Rutnageeree Collectorate.

"2. The Collector of Poona was informed, under date 6th December 1849, by Government Letter No. 7192, with reference to complaints regarding the Temple in the Balleghat at Poona, that 'the Right Honorable the Governor in Council does not wish to interfere with the management of the Funds allotted to this Temple, but considers, that the just rights of the Poojarees and others employed there, before it passed into the Baee's hands, should be upheld by you' (the Collector).

"A similar answer, Government have resolved, should be given, relative to all

apparently just complaints when the Revenue of Temples has been placed by Government in the hands of Committees."

RELIGIOUS INSTITUTIONS—Orders as to the mode in which the Revenues of ——, paying a Jodee or Quit-rent to Government should be treated. *See Government Resolution No.* 760 *of* 1855, *under* "Jodee Lands."

REMISSIONS—Circumstances under which —— should be granted on Lands taken up by Ryuts, and afterwards left *uncultivated.*

Extract para. 11 *of the Government Letter No.* 582, *dated the* 6*th February* 1840, *reviewing the Annual Revenue Reports of the Poona Collectorate for* 1843-44.

"Para. 11. But the Assessment due upon Land taken up by the Ryuts, at the season for Cultivation, but which they, after all, leave waste, is not, I am instructed to remark, remitted as a matter of course. For its revenue the Ryut is strictly responsible, and any remission of such revenue is granted only on the supposition that he is unable to pay it. Such land is generally entered under the head of 'Kuboolayet-i-pur,' or 'Napair,' and should always come under the head of 'Remissions' when granted, as it is desirable to let the Ryuts understand that they are liable to be called on to fulfil their engagements, and to check the reckless spirit that prevails in some districts of engaging to cultivate large farms far beyond their means to occupy."

REMISSIONS—Relative to the grant of —— in Surveyed Districts.

Circular.

No. 616 of 1841.

Territorial Department—Revenue.

To the COLLECTORS of NUGGUR, TANNA, and POONA.

SIR,—I have the honor to forward, for your information and guidance, an extract from the Government answer to the Jummabundy Report of the Collector of Sholapoor for 1839-40, relative to the grant of remissions in Districts which have been recently surveyed and re-assessed.

Paras. 26 and 27.

I have, &c.,

Camp Mahableshwur, Rev. Com.'s Office,
5th May 1841.

J. VIBART,
Revenue Commissioner.

Extract, being paras. 26 *and* 27 *from Government Letter No.* 1398, *dated* 27*th April* 1841.

"Para. 26. One of the great objects of the new Survey is to diminish the necessity of remissions: to remove it altogether is not to be expected, until the

condition of the Ryuts shall be raised by a continuance of light assessment and an efficient system of management.

27. The reasons which Lieutenant Wingate has assigned for allowing remissions during the past year are quite convincing. He could not have refused them without endangering the success of the experiment on its first introduction; but he should not be too sanguine of being able, at least for many years to come, to decline such assistance in individual cases of poverty or failure. The mode in which he fixed and apportioned the amount given up, seems to have been very judicious, as well as the steps which he took in order to remedy the evil of slovenly tillage arising from the Ryuts undertaking a larger quantity of land than they have the means of properly bringing under the Plough."

REMISSIONS—Relative to the grant of —— for Lands left uncultivated; the relinquishment of Lands by pauper cultivators, &c. *See Government Resolution No.* 5251 *of* 1853, *under* "Land."

REMISSIONS not allowed to Farmers of Revenue taking Lands for the year.

Extract, being paras. 9 *and* 10 *of Government Letter No.* 7836, *dated* 19*th December* 1848, *reviewing the Sholapoor Jummabundy Report for* 1845-46.

"Para. 9. The Governor in Council entirely concurs in your views, as explained in para. 17, regarding the inexpediency, as a general rule, of granting remissions to Farmers of Revenue, taking lands for the year.

10. A man who purchases a Farm of this description in auction, is, I am instructed to state, in a very different position from a Ryut holding land permanently: he enters into a solitary speculation, in the hopes of finding it profitable, and he should certainly, unless under very extraordinary circumstances, be held to his bargain; whereas the Ryut has probably little or no option in the matter, and must cultivate his holding, however poor the prospect of a profitable return may be, and should, therefore, receive greater consideration in an adverse situation."

REMISSIONS—Large —— to be granted in preference to allowing heavy Balances to accumulate.

Extract para. 9 *of Government Letter No.* 7338, *of* 16*th July* 1851, *reviewing the Jummabundy Report of the Surat Collectorate for* A D. 1848-49.

"Para. 9. The state of the Collections is, like the preceding year, very satisfactory, the sum of Rupees five thousand two hundred and forty-three, annas eight, and pies nine only

Rs. 5,243-8-9.

being left uncollected on 1st August 1849, out of a net Revenue of Rupees fourteen lacs, fifteen thousand and twenty-one, annas five, and pies four, or 0·37 per cent. It was much to be

Rs. 14,15,021-5-4.

preferred that large Remissions should have beeen granted than that heavy Balances should have accumulated."

REMISSIONS—The mode in which —— should be estimated.

Circular.

No. 642 of 1840.

Territorial Department—Revenue.

To all the COLLECTORS, excepting those of POONA, SHOLAPOOR & NUGGUR.

SIR,—I do myself the honor to forward for your information and guidance the accompanying extracts, being paras. 13 and 14 of my letter to Government, handing up the Annual Report of Revenue Settlements of the Poona Zilla for 1838-39, together with paras. 8 and 10 of Mr. Chief Secretary Reid's letter dated the 21st ultimo, No. 1605, by which you will observe that in estimating the amount of Remissions to be given in years of failure, the losses of each Ryut on the *whole extent* of his holding should be estimated, and not that on any *particular* field or crop.

I have, &c.,

Poona, Rev. Com.'s Office,
4th June 1840.

J. VIBART,
Revenue Commissioner.

Extract paras. 10 *and* 11 *of a Government Letter to Revenue Commissioner S. D., No.* 3899, *dated 5th October* 1847.

"Para. 10. The modes of estimating Remissions recommended by Captain Wingate in paras. 6 and 7 of his letter, are, in the opinion of the Governor in Council, less objectionable than any hitherto brought to his notice for Ryutwar Districts. They are as follows:—

"When the failure is not general over the whole lands of a Village, the Inspector, with the aid of the Field Map, could easily mark off on it the limits of the localities affected by it, and the Remissions could be allotted accordingly. Further adjustments might be made, by a consideration of the proportion of early and late crops grown, the varieties of soil, and the circumstances of the Ryuts; but the particular extent to which these are to be taken into account cannot, in my opinion, be determined by general rules, but should be left to the judgment and discretion of the Settling Officer,* whose decision should be final.

"When a failure is so extensive as to render the realization of the Revenue impracticable, I am inclined to prefer an average reduction to individual Remissions, as the much simpler process of the two, and likely to be quite as effective as the other. When this is done, there would remain certain individuals unable, from poverty, to pay up their quota, even after the proportional abatement from the full demand had been made. These cases would require to be particularly inquired into, and the unrealized Balances due, written off

* See extract para. 3 of Government Letter No. 5972, of 9th August 1850, which follows.

at the close of the collecting season, care being taken to ascertain whether this necessity is occasioned by the parties in question holding more lands than they have the means of cultivating, and, in this case, to require them to relinquish a part of their holdings. In every season, good or bad, even under the most liberal assessment, there will be a few cases of the latter description, to meet which, some Remissions will be requisite; but under proper management these will be altogether trifling."

" 11. His Honor in Council of course understands that the Inspectors referred to by Lieutenant Wingate, are to be carefully selected for the duty from the Members of the District Establishment, and that the accuracy of the Returns is to be most rigidly tested by the Settling Officer."

Extract para. 3 *from Government Letter No.* 5972, *dated 9th August* 1850, *to the Revenue Commissioner S. D.*

" Para. 3. As regards the particular point referred to by you in your letter under acknowledgment, I have been instructed to inform you, that the Settling Officer must be considered to mean the Collector himself, or an experienced Assistant; and that if an experienced Assistant is making the Revenue Settlement, his proceedings relative to the granting, or withholding, of Remissions, should be controlled by the Collector. The opening passages of paras. 5 and 6 of Captain Wingate's communication of 14th November 1846, No. 176, and para. 19 of the same letter, should be taken in conjunction with the general rules laid down in Government Letter of 5th October 1847, No. 3899, by the Collectors of Surveyed Districts, and yourself, as the instructions of Government, by which to be guided.

REMISSIONS—The particular items that should come under the Head of —— .

Extract of a Letter No. 1840, *dated the* 31*st May* 1843, *from Government to the Revenue Commissioner S. D., reviewing the Sholapoor Jummabundy Report for* 1841-42.

" Para. 26. In reference to Mr. Simson's 30th para., I am directed to observe that no item should be entered under the head of Remissions, which does not strictly belong to it and is not a *bonâ fide* abatement of Revenue on land in possession of a party which, from failure of crops or other proper reason, is assigned to him: neither the sum credited and debited on account of boundary disputes (Mr. Karr's para. 9th) nor that of Baghayet Assessment in abeyance (para. 10th) comes under this description. In the former case, the dispute should at once be settled by Punchayut, when, if the decision be against the Government Village, the amount will cease to be entered as a Government Assessment, and in the latter, the Baghayet rates should not be brought to account until the expiration of the period which Lieutenant Wingate appears to have fixed."

Extract para. 9 *of a Letter No.* 2440, *dated the* 25*th July* 1843, *from Government to the Revenue Commissioner S. D., reviewing the Ahmednuggur Jummabundy Report for* 1841-42.

" Para. 9. It seems necessary, in the opinion of Government, that some definition should be laid down of the term *Remission*, and of the items which should be entered under this head. Abatements of rent from failure of crops, want of rain, or failure of supply of water for irrigation, are legitimate Remissions; and it may be apprehended that relief given to indigent Ryuts, though not properly " Remissions," must be admitted under this head. But the rent of lands exempt from payment, such as that assigned to Mr. Grant (para. 10 of Mr. Bell's report), Inams to parties digging wells, &c. (para. 11.), losses by fire, where the parties are in opulent circumstances (Mr. Tytler's report, para. 7), ought certainly not to be brought under it. On this point the Governor in Council refers you to the opinion expressed in the 26th para. of my letter, No. 1840, of 31st May last, in answer to the Sholapoor Annual Report."

Extract para. 13 *of a Letter No.* 3236, *dated the* 21*st September* 1844, *from Government to the Revenue Commissioner S. D., reviewing the Poona Jummabundy Report for* 1842-43.

" Para. 13. You are requested to give particular instructions to the Revenue Officers under your control as to the items which belong, legitimately, to the Head of *Remissions*, as explained in the letter from Government, No. 2440, of 25th July 1843, para. 9, and in other communications."

REMISSIONS—The measures to be taken to inform the Ryuts of the —— granted them.

Extract para. 8 *of Government Letter No.* 1514, *of* 20*th February* 1851, *reviewing the Tanna Jummabundy Report for* 1847-48.

" Para. 8. The item of Remission forms the most important feature in the management of the year. The account which has been given of the season as prevailing in this Collectorate shows the necessity that there was of Remissions being granted on a large scale, and under the circumstances represented, the Governor in Council is not of opinion that the Remissions granted by Mr. Law, as detailed in his 5th para., were at all too high in amount: he hopes that they may have been sufficiently liberal, and that the Collector and his Assistants took judicious measures in explaining the amount to the Ryuts themselves, so as to prevent exaction or embezzlement on the part of the Village Officers."

Extract para. 6 *of Government Letter No.* 5287, *of* 12*th May* 1851, *reviewing the Surat Jummabundy Report for* 1847-48.

" Para. 6. The Remissions are not heavier than Government was led by the account given in your predecessor's letter, No. 155 of 27th January 1848, of the season and state of the weather, to anticipate. The items composing the amount

are detailed by the Collector, and call for no other remarks than those made by you at the close of your 6th para. The practice of granting Remissions on account of loss by fire, was found in the Tanna Collectorate to have been followed by so many abuses as at one time to have led to its general discontinuance. Mr. Stewart should have explained the measures which he and Mr. Robertson had adopted with a view to ensuring the different amounts reaching the parties for whom they were intended."

Extract para. 7 of Government Letter No. 6597, of 20th June 1851, reviewing the Kaira Jummabundy Report for 1848-49.

"Para. 7. Under the explanation given by the Collector, the Governor in Council sees no reason to doubt, but that as large an amount of Remissions as was granted by the Collector, during the season under review, was actually necessary. Government trust that the Remissions benefited the parties for whom they were intended, but are not satisfied as to the sufficiency of the measures taken with this view by the Collector (see para. 20). Oral inquiries from some of the Ryuts, and a test of some of the books in their presence, would have been more efficacious than the Collector's signing, as he informs you he did, all the Receipt-books, and entrusting their delivery to others."

REMISSIONS—All deductions, or ——, up to the date of Settlement, should be classified according to the headings to which they belong, and all subsequent Abatements shown, as Balances to be written off.

Extract para. 17 of the Government Letter No. 154, dated 9th January 1846, reviewing the Sholapoor Annual Revenue Report for 1843-44.

"Para 17. Referring to paragraph 5 of your letter, I am instructed to inform you, that Remissions should always be entered in the manner suggested by you, to avoid confusion in the Accounts."

Extract, part of para. 5 of the Revenue Commissioner's Letter to Government, No. 553, of 22nd April 1845, handing up the Sholapoor Annual Revenue Report for 1843-44.

"Para. 5. All deductions, or Remissions, up to the date of Settlement, should be classified and adjusted according to the headings to which they belong, and any subsequent abatement should be shown as Balance to be written off. Adherence to this rule is necessary to obviate confusion; and there need be no difficulty or delay in exhibiting, in an analytical statement, the sums which are so clearly irrecoverable as to be struck off, according to the present practice, by the Collector on his own authority."

REMISSIONS granted in Villages in which Government have a share of the Revenue, should always be noticed in Jummabundy Reports.

No. 4249 of 1848.

To R. SPOONER, Esq., Collector of Ahmednuggur.

SIR,—In reply to your letter of 27th October (No. 1895), I have the honor to request that you will always distinctly notice in your Revenue Reports, any Remissions that may have been granted to Villages in which Government may have a share of the Revenues. When such Villages receive no Remissions, this should be stated.*

I have, &c.,
E. H. TOWNSEND,
Revenue Commissioner S. D.

Rev. Com's Office, Camp Sholapoor,
5th December 1848.

REMISSIONS not to be withheld from Karkoons or Tullatees on account of Failure of Crops on Lands held by them in Districts in which they are employed. *See para. 2 of Government Resolution No.* 2958, *of* 17*th June* 1854, *under* "Land."

REMITTANCES—Letters of Advice of Bills drawn by Heads of Departments on Government, in favor of the General Paymaster, on account of Civil —— and Civil Fund Subscriptions, not to be sent to Government.

Notification.

Territorial Department—Finance.

The Right Honorable the Governor in Council is pleased to notify to the Heads of Departments concerned, that it is not necessary for them to send in future Letters of Advice to this Office, of Bills drawn by them on Government in favor of the General Paymaster, on account of Civil Remittances, and Civil Fund Contributions.

By order, &c.,
L. R. REID,
Secretary to Government.

Bombay Castle,
11th October 1832.

REMITTANCES—Rules regarding —— through the Government Treasuries on account of the Salaries of Public Officers.

Circular.

No. 608 of 1851-52.

Territorial Department—Finance.

To the REVENUE COMMISSIONER S. D.

SIR,—Under instructions from the Right Honorable the Governor in Council, I have the honor to forward, for your information and guidance, the accompanying

* Similar Orders were sent to the other Collectors S. D., on the same date, No. 4250.

Printed Rules relative to Civil Remittances and Drafts, and to request that they may be carried into effect from the 1st proximo.

I have, &c.,

Bombay, Accountant General's Office,
12th September 1851.

E. E. Elliot,
Accountant General.

Rules for the Guidance of Civil Disbursing Officers in receiving and making Remittances on account of Civil Servants, Military Officers in Civil Employ, and Uncovenanted Assistants; and in issuing Drafts on other Treasuries within the Presidency of Bombay.

1*st.* No Officer is to remit, in any month, more than his Month's Salary.

2*nd.* A Receipt (as per annexed Form No. 1) is to be granted to all persons making Remittances through the medium of the Public Treasuries, who at the same time are to be enjoined to communicate immediately with the parties in whose favour the Remittances may be made, in order that they may promptly attend to receive them.

3*rd.* Monthly Remittances for a regular sum, and for a period not less than six consecutive months, may, with the concurrence of the Accountant General, be made to any Station at which there may be a Civil Treasury, by any Official Subordinate, or person otherwise in Civil employ.

4*th.* The following are the places to which ordinary Remittances may be made from all Stations under the Bombay Presidency:—

Bombay.
Poona.
Mahableshwur.

And for the Officers stationed in Sind,

Kurrachee, in addition to the above-mentioned Stations.

5*th.* The Remittances from Out-stations to Bombay and Poona, and (as regards Sind) Kurrachee, are to be communicated Monthly to the General Paymaster, the Collector of Poona, and the Collector of Kurrachee.

Those from Bombay to Poona, Bi-monthly; and those to Mahableshwur to the Surgeon in charge of the Treasure Chest at that Station, Weekly; and Remittances to the latter place may, moreover, be made by persons not in the Government Service.

6*th.* The Monthly Lists are to be forwarded on the 1st, the Bi-monthly on the 16th and 1st, and the Weekly on the 8th, 16th, 24th, and 1st of each month; and they are to be, in every instance, in duplicate.

7*th.* The Monthly Remittances will be payable on and after the 20th, and the Bi-monthly on the 21st and 5th of each month, and the Weekly immediately after the receipt of the Remittance Lists.

8*th.* The Remittance Lists are to be framed according to the annexed Forms (Nos. 2, 3, and 4), and are to be brought to account by the Despatching and Receiving Officers in the month in which they are dated, by their respectively crediting and debiting each other with their full amount; and the amount that may remain unpaid at the close of the month is to be credited to the head of "Unclaimed Remittances."

9*th.* The original Remittance List, together with a further List, showing the payments made during the month on account of each Collectorate from the balance of "Unclaimed Remittances," both duly receipted by the persons to whom the Remittances were paid, are to be forwarded to the Civil Auditor as vouchers with the Monthly Cash Accounts of Disbursing Officers; details of the Remittances paid are to be omitted in the Cash Accounts.

10*th.* Before rendering the original Remittance Lists to the Civil Auditor as vouchers, the amounts discharged during the month, and the amounts credited to "Unclaimed Remittances," are to be distinctly stated at the foot of the Lists.

11*th.* Half-yearly detailed Statements of the amount under the head of "Unclaimed Remittances," are to be rendered to the Accountant General as soon as practicable after the 31st of October and 30th of April of each year, for the purpose of being published in the Government Gazette.

12*th.* The Remittance Lists are on every practicable occasion to be made use of, in lieu of Drafts, for the remittance of money on the Public Service to the Stations mentioned in the 4th Rule.

13*th.* Drafts on the Public Service are to be made out agreeably to the accompanying Form (No. 5), and no Drafts are to be granted on private account, unless under instructions from the Accountant General, when they will be for sums not less than Rupees five hundred (500), and solely to aid Subordinate Treasuries to meet the demands on them.

Bombay, Accountant General's Office,
12th September 1851.

E. E. Elliot,
Accountant General.

Form No. 1.

(Form of Receipt.)

No. 1 of 1851-52.....Rupees 100.

Received from A. B. the sum of Rupees One Hundred (100), to be repaid by the Collector of Poona.

A. B.,
General Paymaster.

Bombay, General Pay Office,
1st June 1851.

FORM No. 2.

Monthly List of Remittances of Civil Servants, Military Officers in Civil Employ, and Uncovenanted Assistants in this Zillah, payable at Bombay.

No. of Receipt.	By whom Remitted.	To whom Remitted.	Amount.	Signature of Recipient.
1	A. B.....	C. D.....	Rs. a. p. 300 0 0	C. D.

Khandeish, Collector's Office,
1st June 1851.

To the General Paymaster,
Bombay.

C. D.,
Collector.

FORM No. 3.

Bi-Monthly List of Remittances of Civil Servants, Military Officers in Civil Employ, and Uncovenanted Assistants at the Presidency, payable at Poona.

No. of Receipt.	By whom Remitted.	To whom Remitted.	Amount.	Signature of Recipient.
1	A. B.....	C. D.....	Rs. a. p. 100 0 0	C. D.

Bombay, General Pay Office,
1st June 1851.

To the Collector of
Poona.

E. F.,
General Paymaster.

FORM No. 4.

Weekly List of Remittances of Public Servants and Private Individuals payable at Mahableshwur.

No. of Receipt.	By whom Remitted.	To whom Remitted.	Amount.	Signature of Recipient.
1	A. B.....	C. D.....	Rs. a. p. 225 0 0	C. D.

Bombay, General Pay Office,
1st June 1851.

To the Officer in Charge
Treasure Chest at
Malcolm Pètt.

G. H.,
General Paymaster.

FORM No. 5.

(Form of Draft.)

On the Public Service.

Rupees 100.

SIR,—At sight, please pay to A. B. the sum of Rupees one hundred, for value received, and debit the same to —— .

Your most obedient servant,
I. J.,
Collector.

Khandeish, Collector's Office,
1st June 1851.

E. E. ELLIOT,
Accountant General.

To the Collector of Sholapoor.

No. 733 of 1854.

Territorial Department—Finance.

To the ACCOUNTANT GENERAL.

Copy of the Resolution passed by Government under date 15th September 1854, *on a letter from the Accountant General, No.* 708, *dated 12th August* 1854 *(with accompaniments), suggesting that Clause 1st of the New Civil Remittance Rules be modified, so as to admit of Officers remitting sums equivalent to the amount of their Salaries for two months.*

Government do not consider it advisable to allow Officers to remit by Civil Lists more than the amount of salary they draw, either for the month immediately preceding, or any salary which has accumulated in consequence of checks or official delay.

2. Mr. Erskine has correctly interpreted the term "Monthly Salary" to mean "fixed salary and no more."

C. E. F. TYTLER,
Offg. Secretary to Government.

Copy forwarded for the information and guidance of the Revenue Commissioner Southern Division, with reference to the Civil Remittance Rules forwarded with the Accountant General's Circular, No. 608, dated 12th September 1851.

Accountant General's Office,
Bombay, 6th October 1854.

E. E. ELLIOT,
Accountant General.

REMITTANCES—Koolkurnees of Villages held responsible for the entry in the Day-Book, and in the Letter advising the District Officer of ——, of the name of the Mhar who may escort the Money. *See Extract paras.* 1 *and* 4 *of Government Letter No.* 4980 *of* 1852, *under* "*Collections.*"

REPORTS—Collectors to submit their Rain —— on the 1st and 15th of each Month. The first Report to be considered as due on the 15th June, and the last on the 15th October. *See Revenue Commissioner's Circular No.* 263, *of* 28*th January* 1853, *under* "Rain Reports."

REPORTS—Collectors to mention in their Rain —— the existence and locality of any Epedimic disease or other considerable sickness in their Districts. *See Revenue Commissioner's Circular No.* 1339, *of* 5*th July* 1849, *under* "Rain Reports."

REPORTS.—State of the Crops and Prospects generally of the Season, to be reported by Collectors in the last Rain Reports of each year, instead of restricting the information to the fortnight immediately under report. *See Extract para.* 2 *of Government Letter No.* 5366, *of* 23*rd December* 1847, *under* "Rain Reports."

REPORTS.—On the general state of each Collectorate, required to be furnished Biennially.

No. 3733 of 1849.

Territorial Department—Revenue.

To E. H. Townsend, Esq., Revenue Commissioner S. D.

Sir,—With reference to the Government endorsement, dated 28th March 1846, No. 1398, I have been directed by the Right Honorable the Governor in Council to transmit for your information, extract (para. 16) of a Despatch from the Honorable the Court of Directors, No. 8, dated the 24th April last, and to request that, in future you will regularly forward your Reports on the condition of the Districts under your control, biennially, as approved by the Honorable Court.

2. The Reports should be submitted separately, and not with the letter handing up the Revenue Reports.

I have, &c.,
A. Malet,
Chief Secretary to Government.

Bombay Castle,
8th June 1849.

Extract para. 16 *of a Despatch from the Honorable the Court of Directors,* *No.* 8, *dated the* 24*th April* 1849.

"Para. 16. These Reports contain much general information of a description which it is desirable to place on record from time to time. We agree, however, with you in thinking that every useful purpose will be accomplished if the Reports are submitted biennially."

Forwarding Reports from the Collectors of the Northern Division on the general condition of their Districts.

(True extract)
A. Malet,
Chief Secretary to Government.

RESIDENCES—Public Officers are not to be provided with —— at the expense of Government. *See Extracts from the Honorable Court's Letters of* 5*th June* 1833, *and* 18*th June* 1834 *(page* 790*), under* "Public Officers."

REVENUE—Orders regarding the refund of *Fazil* or Over-Collections of ——. *See Extract part of para.* 4 *of Government Letter No.* 9708 *of* 1850, *under* "Fazil Collections."

REVENUE—Rupees that have been clipped, or filed, &c., are not to be received as —— *See Government Letter No.* 1378 *of* 1851, *under* "Rupees."

REVENUE COMMISSIONERS—Appointment of two —— and the Collectorates allotted to each.

Notification.

Territorial Department—Revenue.

Under the provision of Section II. Act XVII. of 1842, the Honorable the Governor in Council has been pleased to appoint two Revenue Commissioners, each of whom is empowered to exercise the functions of his office, over the whole of the Districts subordinate to this Presidency, but is to confine his immediate control within the undermentioned limits:—

The Revenue Commissioner of the Northern Division to have control over the Principal Collectorate of Surat (including the Sub-Collectorate of Broach), the Collectorates of Kaira, Ahmedabad, Khandeish, and Tanna, and the Department of Continental Customs and Excise.

The Revenue Commissioner of the Southern Division to have control over the Collectorates of Poona, Ahmednuggur (including the Sub-Collectorate of Nassik), Sholapoor, Belgaum, Dharwar, and Rutnageeree, with authority to issue instructions in matters connected with the Department of Continental Customs and Excise in the Rutnageeree Collectorate, which may require immediate notice.

All rules and orders at present in force, relating to the duties of the present Revenue Commissioner, as connected with any other branch of the Public Service, are to be considered applicable from this date to the two Revenue Commissioners, as now appointed respectively within the Districts over which their control extends.

By order, &c.,

Bombay Castle,
13th January 1843.

L. R. Reid,
Chief Secretary to Government.

REVENUE DEFAULTERS—The surrender of —— to, or from, the Territories of Native Chiefs not to be consented to, or applied for.

Circular.

No. 2295 of 1843.

Territorial Department—Revenue.

To all the Collectors.

Sir,—Adverting to the system of surrendering to their Chiefs Revenue Defaulters of Foreign Districts taking refuge in the Company's Territory under this Presidency,

and demanding our Revenue Defaulters from such Chiefs, I am instructed to inform you, that the Honorable the Governor in Council considers these practices to be highly objectionable, and therefore directs that no application for such surrender be for the future made, or complied with by any British functionaries under the control of this Government.

2. I am further desired to state, that if a Native Government can prove a pecuniary claim against a fugitive Ryut to the satisfaction of the Company's Court, those Courts will afford them the same aid, as in all other cases, in recovering the amount from any property belonging to the Ryut, but that your assistance should not extend to enforcing the claim by any measures against the person of the Ryut.

I have, &c.,

Bombay Castle,
6th July 1843.

L. R. Reid,
Actg. Chief Secretary to Government.

REVENUE DEFAULTERS—Returns of —— and cases of Distraint, intended for transmission to Government, to be submitted within fifteen days after the expiration of each Quarter.

Circular.

No. 904 of 1843.

To the Collector of ————.

Sir,—With reference to Mr. Chief Secretary Reid's Circular No. 1857, dated the 31st of May last, I have the honor to request that the Returns of Revenue Defaulters and cases of Distraint therein required to be transmitted through this office to Government, may be submitted within fifteen days subsequent to the expiration of each Quarter.

I have, &c.,

Rev. Com's. Office,
Surat, 14th September 1843.

R. K. Pringle,
Revenue Commissioner N. D.

REVENUE DEFAULTERS—The sale of the Holdings of ——, for the liquidation of Government dues, justifiable and expedient.

Extract, being para. 3 *of a Letter from the Collector of Dharwar to the Revenue Commissioner S. D., dated* 10*th October* 1848, *No.* 1756.

"Para. 3. With respect to the remarks contained in the concluding para. of Mr. Goldfinch's letter, I beg respectfully to state my opinion, that the sale of a Defaulter's Holding for the benefit of Government, and in liquidation of revenue due to Government, is both justifiable and expedient. The present revised assessment having been guaranteed to the Ryuts for thirty years, land is daily becoming valuable, and the title to the possession of it is as much 'property' as the right to any other thing. The purchase of the right to a holding put up to sale by public auction being perfectly voluntary, no party is injured by the sale of it,

when the original holder can no longer fulfil the conditions of his lease, and the Government has a decided right to recover the assessment on the land. I hope, therefore, that you and Government will not only approve of Mr. Goldfinch's proceedings in this instance which were sanctioned by me, but will also authorise a similar measure in future instances of the same description."

Extract, being para. 2 of a Letter from Government to the Revenue Commissioner S. D., dated 28th November 1848, *No.* 7406.

"Para. 2. I have at the same time been desired to inform you, that His Lordship in Council approves of the proceedings reported in para. 3 of the Collector's letter submitted with your memorandum under acknowledgment."

REVENUE DEFAULTERS.—The Revenue Settlement of a District considered very faulty, when recourse is had to personal restraint for the recovery of the Government demands.

Extract paras. 2 and 3 of Government Resolution, No. 3403, *of the 15th July* 1854, *to the Revenue Commissioner N. D.*

"Para. 2. Government consider that the Revenue Settlement of a District in which it is found necessary to have recourse to personal restraint for the recovery of the Government demands, must be very faulty.

"3. The land itself is sufficient security in all properly assessed Districts."

REVENUE SURVEY—All the Local Officers of a District required to make themselves acquainted with the Rules in the Printed Joint Report on the conduct of the ——. *See the Extract of the Revenue Commissioner's Circular No.* 3174, *of 10th July* 1850, *under* "Survey."

REVENUE SURVEY—Before sanction to adopt the new Rates of Assessment fixed by the —— is applied for, the Collector of the District should be made fully acquainted with the nature and particulars of the Superintendent's Settlements. *See Government Resolution No.* 1825, *of 3rd May* 1855, *under* "Assessment."

REVENUE SURVEY—Orders respecting the introduction of the —— into Inam Villages. *See Government Letter No.* 5231 *of 18th December* 1847; *Rules passed by Government on 13th March* 1851, *&c. &c., under* "Survey."

REWARDS—Proposals for giving —— to Public Servants, to be accompanied by an explanation of the nature of the case, and the particulars of the parties' conduct in it.

Extract of a Letter from the Revenue Commissioner N. D., to Government, dated 25th September 1844, *No.* 1187.

"Para. 2. As a special case, I would not object to the reward being paid in this instance; but I would observe, that as this person held the office of Outer Durrogà, the prevention of the fraud was only in the ordinary discharge of the

duties peculiarly devolving on that office; and, as a general rule, I would recommend that under such circumstances no rewards should be paid but on special grounds, and with the express sanction of Government."

Extract of a Letter from Government to the Revenue Commissioner N. D., dated 6th November 1844, *No.* 3891.

"Para. 2. The remarks contained in your 2nd para. are, I am desired to add, just; and whenever a reward is proposed to be given to a Government Officer, the nature of the case, and the particulars of his conduct in it, should be specially detailed, in order that it may be seen whether he is entitled, by any other extra exertion beyond what is required in the ordinary discharge of his duty, to such favour."

REWARDS—Scale of —— to be given for the destruction of Wild Beasts. *See Government Notification of 4th November* 1846, *under* "Wild Beasts."

RIVER LANDS—Orders regarding the disposal of —— in, or adjacent to, Government Kooruns. *See Government Memorandum No.* 11745 *of* 18*th December* 1851, *&c., under* "Kooruns."

ROADS—The particular attention of Collectors and their Assistants called to the subject of facilitating Cart-traffic by means of —— &c., &c.

Extract, being para. 3 *of a Government Letter to the Revenue Commissioner S. D., dated* 12*th October* 1843, *No.* 3305.

"Para. 3. The Governor in Council is of opinion, that much might be done at very little expense to facilitate Cart-traffic, if the Revenue Officers generally were to give the subject more systematic attention; and I am therefore desired to request that you will press the subject on the particular notice of the Collectors and their Assistants. In many instances lines of considerable length, well adapted for Carts during the fine weather, are entirely closed to wheeled carriages, and the traffic, often considerable, is carried on exclusively by means of Pack-Bullocks, owing to the intervention of ranges of hills, the road over which is frequently a very rugged and difficult pass, even when the natural features of the country are not particularly unfavourable to laying down a good line, and the banks of steep nullas and rivers which in every direction offer, to Cart-traffic, serious obstacles that might, in the opinion of Government, be often easily removed."

No. 4990 of 1849.

Territorial Department—Revenue.

To A. N. Shaw, Esq., Revenue Commissioner N. D.

Sir,—I have been directed by the Right Honorable the Governor in Council to annex for your information, and that of the Collectors within your range, an

extract para. 4 of a Despatch from the Honorable the Court of Directors, No. 10, dated 30th May last, regarding the formation of Roads through the Districts of this Presidency.

I have, &c.,
A. MALET,
Chief Secretary to Government.

Bombay Castle,
15th August 1849.

Extract para. 4 of a Despatch from the Honorable the Court of Directors, No. 10, dated 30th May 1849.

"Para. 4. We observe that the Superintendents of the Survey have very generally offered suggestions as to the formation of Roads through the Districts to which their Reports refer. These suggestions have been made over to the Public Departments, where they will doubtless receive due consideration. We only desire, in this place, to impress on you that the maintenance, and still more the improvement of the land revenue must greatly depend on the facilities of communication which are afforded, and that the capability of India to supply articles fitted for export to this and other countries, especially those in which—as in Cotton and Sugar—the bulk bears a very high relation to the value, can never be fairly tested until ready and cheap means of transport to the Coast are generally provided. You must, however, be aware that the attainment of this important object is mainly dependent on the prosperous condition of our resources, and on the economical and efficient management of them by our Local Governments.

(True extract)
A. MALET,
Chief Secretary to Government.

ROADS—Collectors authorised to expend portions of the sums annually placed at their disposal, by the Government Orders of 4th September 1835, for Wells, Tanks, and Chowries, in repairing and improving Roads and Passes.

No. 3091 of 1844.
General Department.

To R. K. PRINGLE, Esq., Revenue Commissioner N. D.

SIR,—I am directed to acknowledge the receipt of your letter (No. 972), dated the 10th August last, with enclosure, to the Secretary to Government in the Revenue Department, and to inform you that the Honorable the Governor in Council is pleased to extend, to the Collectorates under your supervision, the orders* therein adverted to, authorising the expenditure, in opening Passes and removing obstructions on Roads, of portions of the sums placed at the Collectors' disposal for the repair and construction of Wells and Chowries.

I have, &c.,
W. ESCOMBE,
Secretary to Government.

Bombay Castle,
8th October 1844.

* Dated 4th September 1835. See under "*Tanks, Wells, &c.*"

ROADS.—Proposals for forming, or altering, any line of Road, to be accompanied by a Sketch Map.

Circular.

No. 3901 of 1854.

General Department.

To the Revenue Commissioner S. D.

Sir,—The Right Honorable the Governor in Council directs, that when any project for forming, or altering, the line of any Road is submitted for the consideration of Government, it shall invariably be accompanied by a sketch, however roughly drawn, showing the direction and distances of the places named in the specification of the Districts through, and to which the Road may lead.

I have, &c.,
W. Hart,
Secretary to Government.

Bombay Castle,
30th December 1854.

ROADS—In clearing ordinary Cart-tracks, or Fair-weather ——, the line which would be the best adapted for a *permanent* Road, should be first determined by a competent Surveyor.

Public Works Department.

The Right Honorable the Governor in Council having had occasion to observe that, notwithstanding the previous orders of Government to the contrary, ordinary clearances of Cart-tracks sanctioned by Government are sometimes made without choosing the best possible line of Road between the points which it is intended to connect by such cleared Roads, is pleased to direct that, for the future, this improvident and mischievous course be most carefully avoided; and that in every case where any clearance of a Cart-road is sanctioned, it shall be executed by following the line best adapted for a permanent made-road, which line must, in every case, be in the first place determined by a competent Surveyor.

By order, &c.,
W. Hart,
Secretary to Government.

Bombay Castle,
20th March 1855.

ROADS—Orders regarding the width to be preserved in constructing —— through Towns and Villages.

Circular.

No. 1750 of 1849.

Sir,—With reference to my letter dated ——, and to your reply dated ——, No. ——, I have the honor to state that, as a general rule, not less than thirty feet should, I think, be preserved, where practicable, for the width of all principal streets in large towns and villages,—and for the main street in smaller villages.

2. Whenever new streets may be made, or old ones may have been destroyed by fire, this rule might be borne in mind.

3. Opportunities might also be taken of gradually increasing the width of streets, when sites are sold, for the erection of new houses or when old ones fall and are about to be rebuilt. The circumstance that a street is not narrower opposite the house about to be built than elsewhere, should not prevent the opportunity being had recourse to of widening the street in that particular spot, for the occasions are few which enable the Local Authorities to widen a whole street at once; but if, in a narrow street, houses are not renewed on the old foundations, the requisite increase of width will be gradually, but certainly, acquired.

I have, &c.,
E. H. Townsend,
Revenue Commissioner S. D.

Belgaum Districts, Rev. Com.'s Camp,
Kooslapoor, 3rd April 1849.

ROADS—A space of five feet to be left uncultivated on either side of Public —

Nos. 1834 to 37 of 1838.

To the Collectors.

Sir,—I have the honor to forward, for your information and guidance, copy of a correspondence with Government which arose out of a correspondence submitted by the Superintendent of Roads, Tanks, &c., respecting the injury done to Public Roads by allowing cultivation to be brought up to their very curbstones, and to request you will have the goodness to take immediate steps to introduce the rule in this respect prescribed in Mr. Acting Secretary Boyd's letter of the 8th instant.

I have, &c.,
T. Williamson,
Revenue Commissioner.

Poona, Rev. Com.'s Office,
14th August 1838.

Extract para. 3 *of Letter from the Superintendent of Roads, No.* 615, *dated July* 1838, *to the address of the Revenue Commissioner.*

"Para. 3. I believe that in Bengal an order exists, that all cultivation should be removed at least ten feet from the edges of the road, and it would be a very great advantage if a similiar one was introduced into our provinces, and its due observance rigorously enforced by fine or other penalty."

No. 1708 of 1838.

General Department.

To W. S. Boyd, Esq.,
Acting Secretary to Government, Bombay.

Sir,—I have the honor to hand up an original letter from the Superintendent of Roads, Tanks, &c., and its enclosure, reporting the injury done to our Public

Roads, by the practice of allowing cultivation to be brought up to their very curbstones, the many evils of which are fully described by Lieutenant Curtis.

I am respectfully of opinion, that the remedy suggested by Captain Foster in the 3rd para. of his letter might be adopted with great advantage.

I have, &c.,
T. WILLIAMSON,
Revenue Commissioner.

Poona, Rev. Com's. Office,
26th July 1838.

No. 2416 of 1838.

General Department.

To the REVENUE COMMISSIONER.

SIR,—I am directed to acknowledge the receipt of your letter of the 26th ultimo, with its enclosure, and to inform you that the Rule recommended appears desirable, and the Honorable the Governor in Council is pleased to sanction it, but conceives that five feet would be quite sufficient when the land is very valuable. You will be pleased to issue the necessary orders accordingly.

I have, &c.,
W. S. BOYD,
Acting Secretary to Government.

Bombay Castle,
8th August 1838.

RUKWALDARS—Orders regarding the keeping of Accounts of all lapses of Land held by ——, or otherwise appropriated to Police purposes. *See Government Letter No.* 8602, *of 22nd November* 1850, *under* "Land."

RUPEES—All short-weight Company's —— received as Bullion, to be forwarded to the Presidency for re-coinage, as opportunities offer.

Circular.

No. 873 of 1851.

Territorial Department—Revenue.

To all OFFICERS in Charge of PUBLIC TREASURIES.

SIR,—The Right Honorable the Governor in Council has directed me to instruct you to forward to the Presidency for re-coinage, as opportunities may offer, all short-weight Company's Rupees received by you as Bullion, in accordance with the Government Notification dated the 14th ultimo.

I have, &c.,
A. MALET,
Chief Secy. to Government.

Bombay Castle,
11th July 1851.

RUPEES which have been Clipped, or Filed, not to be received as Revenue; nor are such as have lost more than two per cent. in weight, to be received in large sums. Rupees of the latter character to be sent to the Mint.

No. 1378 of 1851.

Territorial Department—Finance.

To A. N. SHAW, Esq., Revenue Commissioner N. D.

SIR,—I have placed before the Right Honorable the Governor in Council your memorandum No. 2575, dated the 15th ultimo, and accompaniment from Mr. Davies, detailing the arrangements he thinks necessary for giving effect to the Government Notification in the Financial Department, bearing date 14th June 1851, respecting short weight of Company's Rupees.

2. To do as indicated by Mr. Davies, would, in the opinion of Government, be followed by the Ryuts being subjected to much of the inconvenience and practices of exaction from which they have been freed by the introduction of a uniform currency.

3. Rupees that are clipped, or filed, are not to be received as Revenue by Tullatees; and Rupees which have lost more than two per cent. in weight, should not be received in large sums by Village Officers or District Officers; but it will never do for the Collector to require the former to weigh every Rupee, paid in as Revenue, for the purpose of ascertaining whether the deficiency is in excess of the maximum allowed by Notification.

4. You are requested to direct the District Officers and Hoozoor Treasurers not to issue Rupees which they may have reason to believe have lost more than two per cent., but to forward them to the Mint at Bombay.

5. If Government find many Rupees of underweight are thus paid into the Public Treasuries, as representing Rupees of full value, it will be time enough for Government to take measures for preventing their receipt in payment of small items of Revenue.

I have, &c.,
A. MALET,
Chief Secretary to Government.

Bombay Castle,
18th October 1851.

RYUTS to be kept informed of the different measures sanctioned by Government for their benefit.

Circular

No. 1100 of 1840.

To all the COLLECTORS.

SIR,—I have the honor to annex extract of some notes submitted by Dr. Gibson to Government, and to request your most particular attention to the observations

contained therein regarding sufficient care not being taken to render the people of the country well informed of the different measures, sanctioned by Government, for their benefit. On this subject, my predecessor issued repeated instructions, and you will be so good as to inform your deputed Assistants, Dufturdars, Mamlutdars, and Mahalkurrees, that it is their duty to see that these instructions are obeyed.

I have, &c.,
J. VIBART,
Revenue Commissioner.

Poona, Rev. Com.'s Office,
25th August 1840.

Extract of Notes of a Journey made by Dr. Gibson through a part of the Northern Forests in February and March 1840.

"The above instructions could be explained and effectively enforced by the Local Revenue Officers and their subordinates; and every care should be taken that the latter exert themselves in making the matter fully known to all parties concerned.

"The latter caution I deem it necessary to add, because I have often had occasion to see that the people were quite ignorant of the existence of enactments which had been published for their benefit, and the proclamations containing these, may not, unfrequently, be seen posted *upside down* in the village Chowrees.

(True extract)
J. VIBART,
Revenue Commissioner.

RYUTS' RECEIPTS—Detention and Neglect of —— by Koolkurnees, to be guarded against.

Extract paras. 11 *to* 14 *from a Letter from the Revenue Commissioner, to the Principal Collector of Poona, No.* 1641, *dated* 12*th October* 1835.

"Para. 11. It has come to my knowledge that the Koonbees often do not retain, in their own hands, their Receipt Wuhees, and those books are sometimes found unwritten up for months, among the contents of the Koolkurnees' Roomals. Will you issue a strict order to forbid any Koolkurnee from keeping these Wuhees in his own house, or longer in his hands than may be necessary to enter payments. The entries should always be made in the presence of the Cultivators.

"12. From what Mr. Rose states, and from what I learn from other sources, it is clear that the Lownee Puttruks contain entries of persons under feigned names. To prevent this, the method most likely to be successful is to distribute the Purgunna into a certain number of sections while the crops are yet standing, each section being placed under one of the Zummindars to ascertain the accuracy of the Returns of Cultivation. The Zummindars should be answerable for each person being entered by his proper name, and required to ascertain the fact by a Roojoowàt of the Cultivators. They should see that each Ryut answers to his name, and knows the extent of the land the rent of which he has to pay.

" 13. This being done, the Zummindars should make general surveys to ascertain that the whole land in cultivation is actually brought to account in the Lownee Puttruks.

" 14. The Zummindars are, I conclude, aware, that by signing a false Puttruk, they incur the hazard of losing their Wuttuns."

Extract, being part of para. 24 *of Government Letter No.* 1717, *of* 30*th May* 1844, *reviewing the Dharwar Jummabundy Report for* 1842-43.

" Para. 24. * * * * Care should be taken to guard against the practice of the Koolkurnees keeping these Books, and making them up whenever they may be wanted for inspection, since their great benefit depends on every payment being promptly entered in them, and their being always in the possession of the payers."

RYUTS' RECEIPTS—The examination of —— by Collectors and their Assistants, enjoined. *See Government Letter No.* 213 *of* 1846 *(page* 27*), and Extract of the Government Letter No.* 5186 *of* 1850, *&c. (page* 37*), under* " Accounts."

RYUTS' RECEIPTS—The necessity and importance of —— being examined by deputed Assistants *on the spot.*

Circular.

Nos. 1918 to 1922 of 1835.

To the COLLECTORS.

SIR,—In the villages whose affairs I have lately been looking into, I find the accounts still in an imperfect state; and I am satisfied they will never be got into proper order till the Koolkurnees and Patells see, in the active movements of the Assistants in charge of Districts, a great risk of their indolence, incapacity, or dishonesty being detected by Roojoowàt inquiries on the *spot.*

2. This being the season when European Officers can move about the Country with most convenience to themselves and advantage to the Public, I beg you will have the goodness to issue the necessary instructions to your Assistants.

3. A Roojoowàt inquiry into payments and balances can never be properly carried on at Cusbas, or in Mamlutdars' Kutcherries, when the people of the village, even a few miles distant, cannot attend without great inconvenience; and to cause those from distant parts to attend, almost amounts to oppression.

I have, &c.,
T. WILLIAMSON,
Revenue Commissioner.

Rev. Com.'s Office, Poona Districts,
Soopa, 24th November 1835.

RYUTS' RECEIPTS—The granting of Receipts to Ryuts on *Loose pieces of Paper,* prohibited.

Extract, being paras. 33 *and* 35 *of a Letter from Government, of* 12*th June* 1852, *No.* 4191, *reviewing the Poona Jummabundy Report for* 1850-51.

"Para. 33. The information promised in your 38th para., relative to the 'practice which Mr. Malet states now obtains in the Collectorate of giving receipts for Revenue payments on loose papers,* and not in the usual Choprees, or Receipt Books,' has since been received with your letter No. 674, dated 26th March 1852. Government are surprised that the orders of the Revenue Commissioner, dated 28th December 1845, No. 1107, and 21st January 1846, No. 7, should have been misinterpreted, as Mr. H. P. Malet states that they have been, as authorising the introduction of the practice of granting receipts on slips of paper:—they merely authorise receipts being so granted in the exceptional cases in which the Defaulter and his Receipt-Book are absent, and the money is recovered from his security. In such cases there appears to be no alternative, but to grant a receipt on a loose piece of paper, or withhold it altogether, unless the security himself has a book for payments made on his own account, in which case, a page might be appropriated for the purpose. In such exceptional cases, it should be shown in the Rozkeerd that a receipt was granted on a loose piece of paper.

* * * * * * *

"35. The Revenue Commissioner's orders† of 21st January 1846, No. 7, should have provided for the leaves left blank in closed Receipt-Books having a line marked across so as to prevent their being taken out, and fraudulent use being made of the Mamlutdar's or Mahalkurree's seal at the top."

† In the event of their being one or two leaves remaining blank in any book, and it not being likely to contain the entries for the year, that year's accounts should not be written at all on it; but care should be taken to make the cultivator procure a new book, and a receipt should be given at once.

Extract, being paras. 2 *and* 3 *of a Letter from the Revenue Commissioner S. D. to Government, No.* 674, *of* 26*th March* 1852.

"Para. 2. Adverting to the concluding part of the 38th para. of my letter above quoted, I beg to annex a translation of the Revenue Commissioner's orders alluded to in the 11th para. of Mr. Malet's memorandum, in connection with the grant of Receipts for payments of Revenue on loose slips of paper. From this it will be observed, that the practice alluded to was never authorised by my predecessor for adoption, generally, in supersession of the system of entering Receipts in Ryuts' *Books*, but merely as a temporary expedient for application in special cases, when the usual Chopras might not be at the time forthcoming.

"3. As it is, however, perhaps possible, that the intention of Mr. Commissioner Blane's orders may be misapprehended or abused, I shall request the Collector to issue such further instructions to his subordinates as may be considered necessary for explaining their real object."

* See para. 2 of the Revenue Commissioner's Circular No. 3361 to 3368, of 28th November 1834, under "*Village Accounts.*"

S

SABBATH.—All Official Business, excepting in cases of emergency, to be suspended during Sabbaths. *See Government Circular No.* 124 *of* 1836, *under* "Establishment," *and the Government Circular No.* 2836, *of* 13*th July* 1846, *under* "Public Offices."

SABBATH—No Public Works to be carried on by either Government Officers or their Contractors on a ——. *See Government Notification of* 26*th January* 1853, *under* "Public Works."

SALARIES to parties newly appointed to a Situation, how to be regulated.

Notification.

General Department.

The Right Honorable the Governor in Council is pleased to pass the following Rule for the purpose of establishing an uniform practice in regard to the commencement of Pay to parties newly appointed to a situation.

The commencement of salary or allowance being in all cases regulated either by the date of appointment, or the date of taking charge, the Right Honorable the Governor in Council is pleased to direct that, in Civil Appointments, the Officer receiving a new appointment, or taking charge, shall draw the pay to which he may be entitled in his new situation for the day following the date of appointment, or of taking charge, as the case may be, except in any case, in which the appointment may have been vacant on the day of taking charge, and not held by any Acting Officer, who could claim any allowance for the day of delivering over charge.*

By order, &c.,
J. Bax,
Secretary to Government.

Bombay Castle,
17th December 1832.

SALARIES—The —— of Probationary and Officiating Officers, how to be regulated. *See Government Letter No.* 218, *of* 13*th January* 1848, *under* "Establishment."

SALARIES—Mode in which the —— of Absent and Suspended Native Officers should be adjusted in the Accounts, under the Rules of 18th† and 22nd December‡ 1843. *See Civil Auditor's Letter No.* 1242, *of* 16*th January* 1845, *under* "Establishment."

SALARIES—Alterations in the —— of the Members of a Government Establishment, whether involving increase of expense or not, to be reported. *See Extract para.* 66

* See also the Rule of 15th September 1842, under "*Appointments;*" and Rule 7, *et seq.* of 18th December 1843, at page 171, under "*Absentee Rules.*"

† See under "*Absentee Rules,*" at page 17.

‡ See under "*Establishment,*" at page 414.

of the Honorable Court's Despatch, accompanying Government Circular No. 5956 *of* 1849, *under* "Establishment."

SALARIES—Prohibiting the Splitting up of —— of the Members of an Establishment, without the sanction of Government, &c. *See Government Notification of* 15*th February* 1833, *under* "Establishment."

SALARIES—The drawing of Advances of —— from the "Petty Supply Fund," prohibited. *See Government Circular No.* 900 *of* 1844, *under* "Petty Supply Fund."

SALARIES—Disbursing Officers can issue, at their discretion, portions of the —— of Public Servants for periods already expired, although still liable to partial stoppages, &c.

Circular.

No. 1430 of 1854-55.

To all Disbursing Officers.

Sir,—As doubts have been expressed in regard to the exact meaning intended to be conveyed by Clause 2 of the Government Notification, dated 24th July 1848, connected with the audit of Civil Accounts, I beg, with the sanction of Government, to acquaint you that, under authority of that Clause, you are at liberty to issue, at your discretion, a portion of any Officer's salary due for a period already expired, though still liable to partial stoppages or deductions by reason of the claimant having been absent from his station, or from any other cause.

I have, &c.,

J. Webb,

Civil Auditor.

Bombay, Civil Auditor's Office,
14th April 1855.

Transferred for the information of the Revenue Commissioner Southern Division.

J. Webb,

Civil Auditor.

14th April 1855.

SALARIES—Orders regarding Attachments of the —— of Public Servants. *See Extract of the Government Letter No.* 3175, *of* 20*th November* 1834, *and Government Notification of* 19*th February* 1836, *under* "Attachments."

SALES—No —— of Farms made by Assistants to be considered final, till confirmed by the Collector. *See Revenue Commissioner's Circular of* 2*nd November* 1833, *under* "Farms."

SALES—In —— of Farms or Contracts, the Purchaser should be required to sign the paper which specifies the *Terms* or *Conditions of Sale*, &c.

Extract, being para. 2 of a Government Letter to the Revenue Commissioner S. D., No. 8823, of 5th September 1851.

" Para. 2. • You will also be pleased to circulate para. 4 of Mr. Howard's letter for the guidance of the other Collectors in your Division."

Extract para. 4 of a Letter from the Remembrancer for Legal Affairs to Government, dated 26th August 1851, No. 46.

" Para. 4. * * And I would suggest, as a general rule, that when Government auctions take place in the Mofussil, the purchaser should, immediately on the conclusion of the sale, be required to sign a memorandum at the foot of the Conditions of Sale, to the effect that the Farm, &c., had been knocked down to him, and that he agreed to take it on the above terms. This would, in fact, be the lease, if no other were afterwards executed ;—not that I mean to suggest that no lease should be executed because there are generally many more stipulations in a lease than would find their way into mere conditions of sale, and amongst them, one which I have before suggested,* and which I do not observe in the lease which was prepared on this occasion, namely, a clause empowering Government to resume possession of the property in the event of any of the stipulations of the lease being broken on the tenant's part."

SALES of Land by Decrees of Court, to be attended by the Patell, Koolkurnee, and Mahar of the Village.

No. 2342 of 1841.

Territorial Department—Revenue.

To J. VIBART, Esq., Revenue Commissioner.

SIR,—With reference to para. 26 of my letter No. 1587, dated 15th May last, suggesting that Sales of Land by virtue of Decrees of Civil Courts should be made through the intervention of the Patell, Koolkurnee, and Mahar of the Village, I am directed by the Honorable the Governor in Council to transmit to you the accompanying copy of one addressed to the Register of the Court of Sudder Adawlut, dated the 15th instant, and to request that you will notify the decision therein contained to the Collectors under your control.

I have, &c.,

Bombay Castle,
26th July 1841.

L. R. REID,
Chief Secretary.

No. 2085 of 1841.

Judicial Department.

To the REGISTER of the SUDDER DEWANEE ADAWLUT.

SIR,—I am directed to acknowledge the receipt of your letter No. 1136, dated 19th ultimo, reporting that the Judges of the Sudder Dewanee Adawlut are of opinion that Mr. Frere's suggestion for requiring the Patell, Koolkurnee, and Mahar of

* See the Extract of the Letter No. 36 of 1st June 1846, at page 663.

a Village to attend Sales of Land in execution of the Decrees of Civil Courts might be advantageously adopted, and to request that the Court will be pleased to issue the requisite orders for this rule being invariably acted upon in future.

I have, &c.,

Bombay Castle,
15th July 1841.

J. P. WILLOUGHBY,
Secretary to Government.

SALES—Orders prohibiting —— of valuable property to Natives of Rank by Civil and Military Officers without the previous sanction of Government.

Political Department.

The following Resolution of the Right Honorable the Governor General of India in Council, dated the 31st October 1821, is published for general information, and declared applicable to this Presidency.

By order, &c.,

Bombay Castle,
31st October 1848.

A. MALET,
Chief Secretary.

Resolution of His Excellency the Governor General in Council, dated the 31st October 1841.

Circumstances having recently come to the knowledge of Government which suggest the expediency of preventing Sales of valuable Property from being made by the Civil and Military Officers of the Honorable Company's Service to Foreign Princes and Chiefs, or to Natives of Rank or opulence, residing under the protection of the British Government, without due intimation to Government, through the principal Local Authorities, of the proposed sale and transfer of such property, and the consideration to be received for it, His Excellency the Governor General in Council is pleased to prohibit, in future, all sales, purchases, and transfers, between the Civil and Military Servants of Government on the one hand, and Natives of the description above noticed on the other, of grounds, houses, boats, equipages, horses, elephants, plate, furniture, and, generally, every description of private property exceeding the value of Rupees five thousand (5,000), without the sanction of Government being previously obtained, under such penalties as the circumstances of each particular case of disobedience to these orders may demand. The Governor General in Council takes this opportunity of adverting to the Resolution passed in the Political Department, under date the 17th September 1813, and published in General Orders of the 18th of the same month,—cautioning all Civil and Military Officers of Government against carrying on any communications with Native Princes and Chiefs or their Wukeels, except through the channels of the Political Agents of Government, and of renewing the order for the strictest observance of this caution in future.

G. SWINTON,
Secy. to the Government of India.

SCHOOLS—The European Local Officers of a District requested to frequently visit the Government —— that may be within the range of their charges.

No. 3502 of 1851.

General Department.

To the Revenue Commissioner S. D.

Sir,—The Board of Education have suggested in their last Annual Report, that the Government Schools in the Mofussil would probably be much benefitted if the Local Authorities were to evince a personal interest in their success, and if they were to visit them more frequently than they do at present.

2. The Right Honorable the Governor in Council has no doubt that it will only be necessary to bring to the notice of the servants of Government, that they may, in this way, effectually serve the cause of education to ensure a due degree of attention being paid to the suggestion thrown out by the Board.

3. He therefore requests that you will circulate an intimation to this effect to all Revenue Authorities under your control.

4. I have also to desire, that you will afford the Board of Education, when invited to do so, the benefit of your opinion on the state of the Schools within their range.

I have, &c.,
J. G. Lumsden,
Secretary to Government.

Bombay Castle,
8th September 1851.

SCHOOLS.—All Officers of Government required to use their best endeavours to support and encourage every measure connected with the cause of Native Education. *See Government Circular No.* 1732 *of* 1855, *under* "Education."

SEALS.—Device of a New Seal for the Political and Secret Departments of the Secretariate: the use of a different impression than this to be reported.

Circular.

No. 3824 of 1844.

Political Department.

To ——————,

Sir,—I am directed by the Honorable the Governor in Council to inform you, that a New Seal has been made for the use of the Political and Secret Departments of the Secretariate, with the device shown in the margin; and to request that you will be pleased immediately to bring the circumstance to the notice of Government, if any packet should, at any time, reach you from either of these Departments sealed with a different impression.

I have, &c.,
J. P. Willoughby,
Chief Secretary.

Bombay Castle,
16th December 1844.

SEALS—Description of —— to be used by Uncovenanted Deputy Collectors.

No. 2342 of 1853.

Territorial Department—Revenue.

To the REVENUE COMMISSIONER S. D.

Copy of the Resolution passed by Government, under date 21st April 1853, on a Report by the Honorable Company's Solicitor, No. 168, dated 29th March 1853, in connection with a Letter from the Revenue Commissioner N. D., soliciting instructions as to the description of Seal to be used by the Deputy Collectors.

Mr. Acland's opinion is correct, and should be acted on.

2. The copies of Seals furnished to the Assistant cannot, however, remain in the custody of the Collector.

H. E. GOLDSMID,
Secretary to Government.

No. 805 of 1853.

Territorial Department—Revenue.

From E. G. FAWCETT, Esq., Revenue Commissioner N. D.,

To H. E. GOLDSMID, Esq., Secretary to Government.

SIR,—With reference to Act XXI. of 1852, authorising the employment of Uncovenanted Deputy Collectors in the Presidency of Bombay, I have the honor to request the instructions of the Right Honorable the Governor in Council, whether those Officers should use a Seal, and, if so, what inscription it should bear.

2. As Section III. of the above quoted Act confers on them the powers of Covenanted Assistants, I conceive they should use the Collector's Seal, as provided for in Section V., Regulation XVI. of A. D. 1827, without any difference of designation.

I have, &c.,
E. G. FAWCETT,
Revenue Commissioner N. D.

Rev. Com.'s Camp, Surat Districts, Teetul,
19th March 1853.

No. 168 of 1853.

It appears to me that Deputy Collectors appointed under Act XXI. of 1852, to whom the Government prescribes the discharge of such duties, and the exercise of such powers of Covenanted Assistants as require the use by them of a Seal, may use the Collector's Seal as Covenanted Assistants may do under Section V. Regulation XVI. of 1827.

With reference to Mr. Fawcett's 1st para., I conceive no new inscription to be necessary, Covenanted Assistants being only authorised by Section V. Regulation XVI. of 1827, to use the Collector's Seal,—the language and character of

which are prescribed by Section IV. of the same Regulation, and which, in accordance with that Section, is to remain in the custody of the Collector.

W. ACLAND,
Honorable Company's Solicitor.

Bombay,
29th March 1853.

SECTION-WRITERS—Rates according to which —— are to be paid.

No. 1023 of 1841-42.

General Department.

To J. VIBART, Esq., Revenue Commissioner.

SIR,—I have the honor to inform you that, under the orders of Government of the 15th instant, Section-Writers, when employed in Government offices under the sanction of the Honorable Board, should be divided into three classes, according to their merits, and be paid at the following rates :—

1st Class, one anna for each hundred words ;
2nd do. ¾ of an anna for ditto ;
3rd do. ½ an anna for ditto ;

and to request that when such writers are employed in your own Department, as well as by any Collectors under your control, they should be paid according to these rates.

I have, &c.,
E. E. ELLIOT,
Civil Auditor.

Bombay Castle, Civil Auditor's Office,
19th February 1842.

SECTION-WRITERS—The practice of Paying for —— from the Petty Supply Fund, not allowed amongst Collectors.

Extract part of para. 2 and para. 3 of Government Resolution No. 1519, dated the 23rd March 1854, to the Revenue Commissioner N. D.

"Para. 2. Government cannot, however, allow the practice of charging for Section-Writing to arise amongst Collectors. * * * * *

3. The Petty Supply Fund was not meant to pay Section-Writers.

SECURITY—The Officers from whom, and the extent to which, —— should be required under Act XVIII. of 1838.

No. 2037 of 1850.

To H. E. Goldsmid, Esq., Secretary to Government.

Sir,—With reference to the 22nd para. of my letter of 2nd July 1847 (No. 1479), I have the honor to transmit herewith a Statement, showing the amount of Security which, in the opinion of the Officers enumerated in the margin, ought to be taken from Public Revenue Servants, under Act XVIII. of 1838.

Name of Officer.	Zillah.	Date.
J. D. Inverarity ..	Belgaum	17th Oct. 1848.
R. Spooner	Ahmednuggur..	21st do.
W. W. Bell.....	Dharwar	2nd Nov. 1848.
G. Coles	Rutnageeree ..	23rd Feb. 1849.
J. D. Inverarity ..	Sholapoor	11th Dec. 1849.
W. Courtney	Poona	24th Jan. 1850.

2. This Act leaves it discretional with the Collector what amount of Security he shall levy; as, however, considerable difference of opinion prevails on this subject, it has appeared to me expedient to lay the whole before Government for such orders as his Lordship in Council may see fit to issue.

3. The Collector of Sholapoor is the only Officer who recommends that Security should be taken from Dufturdars, and the sum specified does not appear too much, if any is to be taken. Adverting, however, to the fact, that a Dufturdar has not charge of any Treasure Chest, or any direct duty in connection with it, and that he is (or should be) an Officer long tried in the Public Service, I incline to the opinion of the other five Collectors that he should not be required to furnish Security under this Act.

Statement, Column 7.

4. For reasons somewhat similar, I would exempt the First Karkoon of the Duftur, and the Collector's or Assistant's Chitnees from furnishing Security under Act XVIII. The Collector of Rutnageeree is the only Officer who proposes it for these three functionaries.

Statement, Column 6.

5. All the Collectors unite in recommending its levy from the Treasurer at the Sudder Station, and this for obvious reasons. Three Collectors (Dharwar, Rutnageeree, and Sholapoor), proposed Security to the value of Rs. 50,000. The sum proposed for Belgaum is Rs. 60,000, and that for Poona a lac of Rupees. These sums appear well proportioned to the amount of treasure that may accumulate in each of these Collectorates respectively. The sum proposed for Ahmednuggur appears hardly sufficient.

6. Two Collectors* recommend the levy of Security from the First Karkoon in the Collector's treasury. One recommends its levy from the Second. Both appear to me expedient. Security to the value of Rs. 1,000 for the first, and Rs. 500 for the second Karkoon appear fair proportions.

* Poona and Rutnageeree.

7. All the Collectors, except Rutnageeree, recommend the levy of Security from Shroffs on the Collector's establishment, and propose sums varying from Rs. 1,000 to Rs. 5,000 on this account. I agree with the majority of the Collectors that it is expedient to

No. 8 of Statement.

demand Money Security from Shroffs or Potdars. This question is, however, closely connected with that submitted to Government in my letter of 26th ultimo (No. 1760): if Potdars are not in any way responsible for the Government treasure, I do not see why they should furnish Money Security. The same arguments apply to Mamlutdars' and Mahalkurnees' Shroffs (Nos. 15 and 20 in the Statement): the largest Security for the former is proposed by the Collector of Rutnageeree. Security for from Rs. 1,000 to Rs. 2,000 would, perhaps, be sufficient for Mamlutdars' Shroffs, and from Rs. 500 to Rs. 1,000 for those in Mahal Kutcherries.

8. Two Collectors (Dharwar and Rutnageeree) recommend the levy of Security from the "Karkoon" who writes the Cash Accounts. I am not, however, prepared to adopt this opinion; and I rather incline to that of the other four Collectors who exempt this class of servants from furnishing Security, as they have no charge direct or indirect of the Public Treasure.

No. 9 of Statement.

9. The Karkoon or Officer, however designated, who has charge of Stamps at the Sudder Station, should, I think, furnish Money Security, and this is the opinion of four of the Collectors of this Division. The amount for a small Collectorate might be from Rs. 2,000 (the sum proposed by Dharwar and Rutnageeree) to Rs. 5,000, where the expenditure under this head is large, as in Poona. The rate of average expenditure of Stamps in each Zillah of this Division, will be seen on a reference to the Abstract Statement, which accompanied my letter to Government of 21st February 1848 (No. 646), in the Judicial Department.

No. 10 of Statement.

10. From Mamlutdars and their First Karkoons all the Collectors recommend the demand of Security, and, in this opinion, I concur. For the former, the rates proposed by the Collector of Poona, viz. from Rs. 7,000 to Rs. 10,000, and for the latter, those recommended by Belgaum and Dharwar (Rs. 1,000 to Rs. 2,000) seem to me the fairest.

Nos. 11 and 12 of Statement.

11. The Mamlutdar's Karkoon, especially in charge of his Treasury, should, in the opinion of the Collectors of Ahmednuggur, Dharwar, and Rutnageeree, furnish Security of from Rs. 1,000 to Rs. 2,000, and in this opinion I concur. For inferior Karkoons, (14 of Statement) two Collectors recommended that Security should be required. I think, however, that its demand from such persons is superfluous.

No. 13 of Statement.

12. Mahalkurrees, their First Karkoons, and Treasury Karkoons should also, I conceive, furnish Security. For the Mahalkurree from Rs. 2,000, to Rs. 3,000 would be, perhaps, sufficient; for his First Karkoon from Rs. 500 to Rs. 1,000, and the same for his Treasury Karkoon.

Nos. 16, 17, and 18 of Statement.

13. For other Karkoons in the Mahal Kutcherry (No. 19) no Security appears requisite.

14. For "Hurkaras," one Collector (Belgaum) recommends that Security be demanded. This, however, seems hardly requisite. All the Collectors propose to levy it from "Stamp Venders" (22). The lowest rate (Rs. 250) is proposed by Sholapoor, the highest rate (Rs. 2,500) by Poona. On referring to the Statement quoted in my 9th para., it will be seen that the value of the sales in different Collectorates, and in different stations of the same Collectorates, differs very largely. There would appear no good reason for passing any general rule regarding the amount of Security to be demanded from each, which should be fixed, in each Colleatorate, with reference to the value of the Stamps usually remaining in the Vender's hands.

No. 21 of Statement.

15. One Collector (Rutnageeree) proposes to levy Security from "Tullatees," "Kotwalls," and "Post Office Clerks." As a Tullatee has no share in collecting the Revenue, I agree with the other five Collectors that he should not furnish Security.* A Kotwall is an Officer of Police, and, as such, not subject to this Department: where (as in Rutnageeree) the Post Office is under the Collector's control, it seems right that he should furnish Security.

I have, &c.,

E. H. TOWNSEND,
Revenue Commissioner S. D.

Rev. Com.'s Camp Nehr,
25th April 1850.

* See the Circular issued by the Revenue Commissioner N. D., under date 8th February 1851, No. 385, at page 868.

STATEMENT

STATEMENT *showing the Amount of Security to be furnished by Public Functionaries in the Collectorates of the Southern Division, agreeably to Act XVIII. of* 1838, *as recommended by the Collectors.*

No.	Designation of Officers who are to furnish Security.	Belgaum. 17th October 1848.	Ahmednuggur. 21st October 1848.	Dharwar. 2nd Nov. 1848.	Rutnageeree. 23rd Feb. 1849.	Sholapoor. 11th Dec. 1849.	Poona. 24th January 1850.
1	2	3	4	5	6	7	8
1	Dufturdar	....	....	....	....	10,000	....
2	First Karkoon in the Duftur	....	....	....	1,000	....	....
3	Chitnees	....	....	....	2,000	....	....
4	Assistant Chitnees	....	....	....	1,000	....	....
5	Treasurer at the Sudder Station	60,000	15,000	50,000	50,000	50,000	100,000
6	First Karkoon, Treasury Establishment	....	....	....	500	....	1,000
7	Second ditto ditto	....	....	....	500	....	....
8	Shroff, Treasury Establishment	2,000	1,000	1,800 to 5,000	....	1,500	2,000
9	Karkoon who writes the Cash Accounts	....	....	1,000	500	....	....
10	Karkoon in charge of Stamps at the Sudder Station.	....	500 to 1,500	2,000	2,000	....	5,000
11	Mamlutdars	4,000	6,000 to 19,000	6,000	20,000 to 25,000	6,000	7,000 to 10,000
12	Mamlutdar's First Karkoon	1,000	3,000	2,000	5,000	1,000	1,000
13	Do. Treasury Karkoon	....	1,000	1,000	1,000 to 2,000	....	....
14	Do. Karkoons on the receipt of Rs. 10 and upwards	....	300	....	200 to 1,000	....	....
15	Mamlutdar's Shroffs	1,000	1,000	500	2,000 to 5,000	500	1,000
16	Mahalkurree	1,000	2,500	3,000	4,000 to 7,000	2,000	1,500 to 2,000
17	Mahalkurree's First Karkoon	1,000	2,000	1,000	1,000	500	500
18	Do. Treasury Karkoon	....	....	500	....	....	....
19	Do. Karkoons on the receipt of Rs. 10 and upwards	....	300	....	200 to 500	....	....
20	Mahalkurree's Shroffs	500 to 1,000	1,000	250	300 to 1,000	250	500
21	Hurkaras	200	....	....	....	....	....
22	Stamp Venders	400 to 500	500	500	500	250	1,000 to 2,500
23	Tullatees	....	....	....	25 to 500	....	....
24	Kotwals	....	....	....	500	....	....
25	Post Office Clerks	....	....	....	500	....	....

Rev. Com's. Camp, Nehr,
25th April 1850.

E. H. TOWNSEND,
Revenue Commissioner S. D.

No. 3943 of 1850.

Territorial Department—Revenue.

To E. H. TOWNSEND, Esq., Revenue Commissioner S. D.

SIR,—I have laid before the Right Honorable the Governor in Council your letter No. 2037, of the 25th ultimo, with enclosure, and been directed to acquaint you that His Lordship in Council has been pleased to approve of all the suggestions submitted by you, relative to the amount of, and Officers from whom, Security should be taken under Act XVIII. of 1838.

Copy of your letter, and of this reply, will be sent to the Revenue Commissioner Northern Division for information and guidance.

I have, &c.,

Bombay Castle,
14th May 1850.

H. E. GOLDSMID,
Secretary to Government.

No. 3944 of 1850.

Territorial Department—Revenue.

Copies of the foregoing documents are forwarded to the Revenue Commissioner Northern Division for information and guidance.

By order, &c.,

Bombay Castle,
14th May 1850.

H. E. GOLDSMID,
Secretary to Government.

SECURITY—Scale of —— to be taken from Tullatees assisting Patells in the Collection of the Revenue.

Circular.

No. 385 of 1851.

To all the COLLECTORS.

SIR,—With reference to your letter No. —— of ——, relative to Securities being furnished by Stipendiary Tullatees, I have the honor to annex, for your information and guidance, the accompanying copy of a letter from Government, No. 922, of 31st ultimo, and to intimate that the scale of Security to be taken, alluded to therein, is as follows:—

Revenue of the Village.	Amount of Security.
	Rs.
From Rs. 1 to 500	50
„ Rs. 500 to 1,000	75
„ Rs. 1,000 to 2,000	100
„ Rs. 2,000 to 5,000	150
„ Rs. 5,000 to 10,000	200
„ Rs. 10,000 to 15,000	300
„ Rs. 15,000 to 20,000	400
„ Rs. 20,000 to 25,000	500
„ Rs. 25,000 to 30,000	700

I have, &c.,

Rev. Com.'s Camp, Tanna Districts,
Nandgaum, 8th February 1851.

A. N. SHAW,
Revenue Commissioner N. D.

No 922 of 1851.

Territorial Department—Revenue.

To A. N. SHAW, Esq., Revenue Commissioner N. D.

SIR,—Under the explanation afforded in your letter of the 18th instant, No. 125, the Right Honorable the Governor in Council is of opinion that the Security of the Tullatee assisting the Patells in the collection of the Revenue, should be answerable for whatever money may be embezzled by the Tullatee, unless the latter be forthcoming (and this will constitute the responsibility incurred by standing Bail or Hazir Zàmeen); and further, that the Security should be responsible to the amount inserted in red ink in your letter of the 24th ultimo, No. 3276, for the production of money and public papers (Mâl Zàmeen),—for money if the Defaulter be forthcoming, and for public papers whether he be forthcoming or not.

I have, &c.,
H. E. GOLDSMID,
Secretary to Government.

Bombay Castle,
31st January 1851.

SECURITY—Neither Officiating Members of Koolkurnees' Wuttuns, nor Deputies (when the latter are appointed by the Wuttundars,) need furnish ——. Deputies appointed by Controlling Officers, and Tullatees also, should.

No. 1322 of 1851.

Territorial Department—Revenue.

To H. E. GOLDSMID Esq., Secretary to Government.

SIR,—I have the honor to forward a letter from the First Assistant Collector in charge of Dharwar, No. 244, dated the 15th ultimo. The orders of His Lordship in Council contained in your memoranda quoted in the margin, relative to the taking of Security from Tullatees who assist in the Collection of the Revenue, were understood to supersede the necessity for the Report called for in the 2nd para. of the Chief Secretary's letter No. 6529, dated the 31st August 1850. They were circulated for the information and guidance of the Collectors of this Division on the 20th ultimo No. 418, and 6th instant No. 772.

No. 289, of 10th January 1851.
No. 923, of 31st January 1851.

2. Adverting to Mr. Goldfinch's 2nd para., I beg most respectfully to express my concurrence in the suggestion therein contained, that the provision of Security by Tullatees in the Dharwar Zilla be deferred till the settlement of the emoluments of the Village Officers by Captain Wingate to whom this duty has been specially entrusted.

Government Letter No. 166, of 9th January 1851.

I have, &c.,
E. H. TOWNSEND,
Revenue Commissioner S. D.

Rev. Com.'s Camp, Ahmednuggur Districts,
Dolusna, 13th March 1851.

No. 244 of 1851.

To E. H. Townsend, Esq., Revenue Commissioner S. D.

Sir,—With reference to Mr. Bell's letter No. 2123, dated 12th December 1850, explaining the duties of Tullatees in this Collectorate, I have the honor to request that you will inform me whether I am to consider the letters noted in the margin,* forwarded with your memo. No. 418 and 772, dated 20th January and 6th instant, as containing instructions to demand Security from the Tullatees employed in this Collectorate.

* 1. Government Letter No. 288, of 10th January 1851, to the address of the Revenue Commissioner N. D.
2. Do. No. 922, of 31st January 1851, to Revenue Commissioner N.D. (Precedes.)

2 In case it should have been decided that all Tullatees are to provide Security, I take the liberty of suggesting that the enforcement of this decision should be delayed until the settlement of the allowances to Village Officers, now in progress, be made. The remuneration of Village Officers, Tullatees as well as hereditary Officers, is very unequal, and, in some instances, very inadequate; and I submit, that in the case of these latter, it will be no slight hardship to call upon them to provide Security which must be paid for.

3. The scale of Allowances for Koolkurnees about to be adopted is most liberal, and there will be no difficulty or hardship in requiring Tullatees to provide Security after the promulgation of the new rates of pay.

I have, &c.,
W. A. Goldfinch,
First Assistant Collector in Charge.

Dharwar Collector's Office,
Camp Turrus,
15th February 1851.

No. 3547 of 1851.

Territorial Department—Revenue.

To E. H. Townsend, Esq., Revenue Commissioner S. D.

Sir,—I have been directed by the Right Honorable the Governor in Council to acknowledge the receipt of your letter No. 1322, dated the 13th instant, submitting one from the First Assistant Collector in Charge, Dharwar, and to inform you that neither Officiating members of Koolkurnees' Wuttuns, nor Deputies, when the latter are appointed by the Wuttundars, need furnish Security.

2. Deputies appointed by Controlling Officers, and also Tullatees, should furnish Security; but, as suggested by Mr. Goldfinch and recommended by you, His Lordship in Council authorises the introduction of the rule in the Southern Mahratta Country being deferred until the emoluments of District and Village Officers are placed on a proper footing by Captain Wingate.

I have, &c.,
H. E. Goldsmid,
Secretary to Government.

Bombay Castle,
31st March 1851.

No. 3548 of 1851.

Territorial Department—Revenue.

Copy of the foregoing documents are sent to the Revenue Commissioner Northern Division for information and guidance, with reference to Government letter No. 922, dated the 31st January last.*

By order, &c.,
H. E. GOLDSMID,
Secretary to Government.

Bombay Castle,
31st March 1851.

SECURITY.—Mâl-Zâmeen prohibited, except in cases in which the non-enforcement of the practice would endanger the realization of the Revenue. *See Extract of the Revenue Commissioner's Letter of 23rd April* 1833, *No.* 606, *and other communications, under* " Mâl-Zâmeen."

SECURITY.—Unless a new Security-Bond is made *retrospective* in effect—to the date from which the Old Bond commences, the latter instrument is not to be returned to the original Surety, &c. &c.

No. 6227 of 1850.

Territorial Department—Revenue.

To A. N. Shaw, Esq., Revenue Commissioner N. D.

SIR,—I have been directed by the Right Honorable the Governor in Council to transmit to you, for the information and guidance of the Collectors of your Division, the accompanying copy of a correspondence, as per margin, relative to the question whether, on a Public Officer's furnishing fresh Security, the Bond passed in the first instance may be returned to him, and the original Security absolved.

Letter from the Revenue Commissioner S. D., No. 2742, of 31st May 1850, with accompaniments.
Letter to Remembrancer for Legal Affairs, No. 5221, of 5th July 1850.
Letter from do., No 45, of 9th August 1850.

I have, &c.,
J. G. LUMSDEN,
Secretary to Government.

Bombay Castle,
23rd August 1850.

No. 2742 of 1850.

Territorial Department—Revenue.

To H. E. GOLDSMID, Esq., Secretary to Government, Bombay.

SIR,—I have the honor to forward a letter from the Collector of Poona, dated 15th February, No. 404, inquiring whether, on a Public Officer's furnishing a fresh Security, the original Bond may be returned, and the Security absolved from all responsibility or not. The question having been referred to the other Collectors of this Division, their replies, which accompany, are of the dates quoted in the margin.

Rutnageeree, 11th March, No. 269.
Belgaum, 20th ditto, No. 204.
Dharwar, 25th ditto, No. 430.
Sholapoor, 1st April, No. 200.
Ahmednuggur, 8th ditto, No. 607.

* See at page 869.

2. The Collectors of Rutnageeree, Belgaum, and Ahmednuggur, answer the question in the affirmative, the Collectors of Dharwar and Sholapoor in the negative. The Collector of Poona thinks that, if the new Bond were retrospective, the old one might be returned. No former correspondence is quoted by any of these Officers on the subject, though I have some remembrance that this question has been decided, but I cannot specify the time or the place of the decision.

3. The question turns on the meaning of the word "Cancel" in Sec. VI. Act XVIII. of 1838. If it means to *nullify* and *render void*, then the old Bond is annulled, as though it had never been written; if it means merely that its prospective operation ceases, then the document may continue in force as regards past transactions. I understand the word in the former sense; the orders of Government, however, are solicited on this point.

I have, &c.,

E. H. TOWNSEND,
Revenue Commissioner S. D.

Rev. Com.'s Camp, Nehr,
31st May 1850.

No. 404 of 1850.

To E. H. TOWNSEND, Esq., Revenue Commissioner S. D.

SIR,—Some instances having occurred in which parties, who have furnished fresh Security, under the provisions of Act XVIII. of 1838, on promotion to another situation, have applied to me to have the Bond, passed in the first instance, returned to them and the original Security absolved, I have the honor to request you will be so good as to inform me whether there is, in your opinion, any objection to a compliance with their requests, provided the new Security Bond includes the period of service for which the original Security was bound.

2. My reasons for making this reference is, that I have reason to believe, that on some former occasion, the formal cancelling of such Security Bonds taken from servants in the public employ was disallowed by Government, on the grounds that the Security always continues liable under the provisions of Section IV. of the Act in question in all matters occurring between the date specified in the Bond as that of its commencement, and the expiration of sixty days from the petitioner's stating his wish to withdraw from his Suretiship; and that, therefore, all that is necessary, is to endorse on the Bond that it is inoperative as to any transaction occurring subsequently to the date of the expiration of these sixty days.

I am unable to quote the date of the orders referred to, but I think I remember having seen them, on the Records of Government.

3. In the event, however, of the new Security binding himself to be answerable from the date of the party for whom he is bound entering the service of Government, which is the case in the instances referred to, there would seem no objection to a compliance with the request that the first Bond should be formally cancelled and returned; and I beg, therefore, to be favored with your instructions as

to whether, under such circumstances, documents of this nature may be returned to the parties when desired.

I have, &c.,
W. COURTNEY,
Collector.

Poona, Col.'s Office, Camp Lonee,
15th February 1850.

No. 941 of 1850.

Forwarded to the Collectors of Rutnageeree, Belgaum, Dharwar, Sholapoor, and Ahmednuggur, each of whom is requested to subjoin his opinion on the question referred by the Collector of Poona, the last Officer transmitting the whole correspondence to this Department.

E. H. TOWNSEND,
Revenue Commissioner S. D.

Rev. Com.'s Camp, Poona,
25th February 1850.

No. 269 of 1850.

The Collector cannot discover on his Records any instructions of Government relative to the cancelling, or otherwise, of Security Bonds. He sees no objection to the first Bond being returned *if the new Security makes himself responsible for the acts of his Principal from the date on which he entered the Service.*

G. COLES,
Collector.

Rutnageeree, Col.'s Office, Camp Ladghur,
11th March 1850.

No. 204 of 1850.

The Collector of Belgaum begs to state that he concurs in the opinion expressed by the Collector of Rutnageeree.

H. W. REEVES,
Collector.

Belgaum, Collector's Camp,
Nesurghee, 20th March 1850.

No. 430 of 1850.

The Collector of Dharwar is not aware of any decision by Government to the purport intimated in the 2nd para. of the letter of the Collector of Poona. He differs in opinion from the Collectors of Poona, Rutnageeree, and Belgaum, and considers it improper that any Security Bond should be returned. A Security Bond may be prospectively cancelled by the Security adopting the steps indicated in the 4th Section of Act XVIII. of 1838, but the Bond should be retained, as it must still have retrospective effect, and, by it, the Security is still responsible for the period during which the Bond has been in operation. Claims of Government upon the Principal, incurred while the Bond was operative, may be discovered after the Security has withdrawn from his engagement, and if the Bond were returned, Government would possess no hold on the Security by which he could be made responsible for these claims.

2. The Collector considers it very doubtful whether a Security Bond, purporting to have effect antecedent to its date, would be considered valid in a Court of Law, because the very nature of Security implies a prospective responsibility. He views the tenor of Section VI. of Act XVIII. of 1838, and the clause in the form of Bond annexed to that Act, as by no means authorising a retrospective responsibility, but simply as indicating that the date of the Bond may be that of the Officer's appointment to a particular situation, or that on which a former Bond entered into on behalf of the Officer may have been cancelled; in fact the object appears to have been to provide Security for the complete period of the tenure of office, and to avoid a gap by which responsibility might be evaded by parties becoming Security for the same Officer in succession.

Dharwar, Collector's Office,
Camp Hooblee, 25th March 1850.

W. W. Bell,
Collector.

No. 200 of 1850.

The Collector of Sholapoor has the honor to offer his opinion that, in any instance or under any circumstances, it would be highly injudicious and inexpedient to cancel and return a Bond once executed under the Provisions of Act XVIII. of 1838.

The mode in which a withdrawing from Suretiship may be accomplished is clearly laid down in Section IV; and this provision, coupled with the text in Section V., leads to the conclusion, that a cancelling of Bonds was never contemplated by the Legislature.

The expression in Section VI. the "date from which any former Security Bond has been cancelled," the Collector refers to the date of withdrawal from Suretiship contemplated in Section IV., the cancelling or rendering null a Bond being no where provided for in the Act.

Sholapoor, Col.'s Office, Camp Shelgaum,
1st April 1850.

J. D. Inverarity,
Collector.

No. 607 of 1850.

I concur in the opinion expressed by the Collector of Rutnageeree.

2. In Section VI. of Act. XVIII of 1838 it is stated, that the date from which the liability of the Surety is to commence is to be stated in the Bond, and that such date shall be that of the appointment to the situation which the Principal is declared in the Bond to hold, or that from which any former Security Bond has been cancelled or *any other specific date which the Officer requiring such Security may determine*, and the party or parties executing the Bond shall agree to.

3. It is highly advisable that there should be only *one* Security, and not several Securities, as Government then have only to look after *one* man, and the poor

Government servant also is only obliged to satisfy the demands of *one* man for standing Security, instead of being under obligations to several.

Ahmednuggur, Col.'s Office,
8th April 1850.

R. SPOONER,
Collector.

No. 5221 of 1850.

Territorial Department—Revenue.

To W. HOWARD, Esq., Remembrancer for Legal Affairs.

SIR,—I have been directed by the Right Honorable the Governor in Council to transmit the annexed copy of a letter from the Revenue Commissioner Southern Division, No. 2742, dated the 31st May last, with enclosures, relative to the inquiry whether, on a Public Officer's furnishing fresh Security, the Bond passed in the first instance may be returned to him, and the original Security absolved; and to request you will have the goodness to favor Government with your opinion on the subject.

2. I have been instructed at the same time to inform you, that for the reasons given by Mr. Spooner in para. 3 of his report of 8th April last, No. 607, His Lordship in Council is of opinion that it is highly desirable that there should be but one Security.

3. In making this reference, I have also been directed to forward for your perusal the proceedings recorded in the volumes, as per margin, relative to the passing of Act XVIII. of 1838, and the suit instituted against Kazee Syed-oordeen, the Security of a man in the Tanna Collectorate. You will be pleased to return the volumes when no longer required.

Volume 63 of 1835.
„ 49 of 1836.
„ 72 of 1837.
„ 71 of 1838.

I have, &c.,

A. MALET,
Chief Secretary.

Bombay Castle,
5th July 1850.

No. 45 of 1850.

Territorial Department—Revenue.

To A. MALET, Esq., Secretary to Government.

SIR,—I have had the honor to receive your letter, dated the 5th ultimo, No. 5221 of 1850, with its enclosures, relating to a question which appears to have arisen on the construction of Act No. XVIII. of 1838, that is to say whether, on a Public Officer's furnishing fresh Security under that Act, the old Bond may be returned to the original Surety.

2. There seems, in the opinion of His Lordship in Council, to be great inconvenience in having but one Security, and this is certainly feasible under the Act when-

ever the new Security will consent to bind himself from the date on which his Principal entered the Government service.

3. I should have been inclined, notwithstanding the language of the form of Bond given in the Schedule to the Act, to have taken the same view as the Collector of Dharwar, whose observation appears to me to be sound and just; but after perusing the correspondence referred to in the margin, of the 3rd para. of your letter under reply, and which shows the history of this measure, it is evident that Government distinctly contemplated in passing Act XVIII. of 1838, to make Sureties for Public Officers responsible for retrospective defaults whenever the Collector might think fit so to require.

4. I may observe, however, that unless the new Security Bond is made retrospective in effect to the date from which the old Bond commences, the latter instrument must not be given up; for if a fraud should subsequently come to light, committed during the period in which the old Bond had operated, it could not be acted upon if cancelled and returned to the original Surety. The original volumes are returned herewith.

I have, &c.,
W. Howard,
Remembrancer for Legal Affairs.

Bombay,
9th August 1850.

(True copies)
J. G. Lumsden,
Secretary to Government.

*SECURITY—The —— to be taken in making Advances of Tuggài. *See Governmet Letter No. 647 of* 1838, *under* "Tuggài.

SECURITY—Every precaution to be used in accepting —— for Farms.

No. 3241 of 1842.

Territorial Department—Revenue.

To William Simson, Esq., Revenue Commissioner.

Sir,—In forwarding the accompanying extract (para. 84) of a letter from the Honorable the Court of Directors, No. 9, dated the 23rd June 1841, relative to the relinquishment of a balance of Rupees thirty-nine thousand, five hundred and forty-seven, and three annas (39,547-3-0), due by the Farmer of the Wunchurrai or Sheep-grazing tax in Ahmednuggur, I am directed by the Honorable the Governor in Council to request you will enjoin all the Collectors under your control to exercise every precaution in the acceptance of Security for Farms, so that the public Revenue may not be placed in jeopardy.

I have, &c.,
L. R. Reid,
Chief Secretary.

Bombay Castle,
10th November 1842.

Extract of a Letter from the Honorable the Court of Directors, dated the 23rd June 1841, No. 9.

"Para. 84. It is stated that in this case the Farm was let for three years, 1829-30, 1830-31, and 1831-32, to an individual of no substance, but who gave, as his Security, a person of reputed opulence in the city of Poona for the sum of Rs. 66,900. The Security was in fact the real Contractor; and as, on his falling into arrears, the sale of his whole property only produced ninety-seven Rupees, it would appear that due precautions could not have been taken to ascertain the competency of the Surety to answer the possible eventual demands of Government against him before accepting him as such. We desire to know whether it is the practice to give farms of this nature always to the highest bidder; and whether the persons tendered as Securities are accepted without inquiry into their circumstances. It is clear that in this case,—the nominal Contractor being known to be poor, and the real one (although reputed wealthy) poor also, you had no Security for the due realization of your demands."

23 and 24. Relinquishment of a balance of Rs. 39,547-3-0, due by the Farmer of the Wunchurrai or sheep-grazing tax in Ahmednuggur.

SERVICE LANDS—Orders regarding the keeping of Accounts of all Lapses of —— and other Allowances appropriated to Police purposes. *See Government Letter No. 8602, of 22nd November 1850, under* "Land."

SHERISTEDAR—The designation of —— to be applied to the Native Secretary of an Assistant Collector, and that of "*Chitnees*" to a Collector's. *See Extract from Government Letter No. 341 of 1848, under* "Establishment."

SHETSUNDEES.—Orders regarding the keeping of Accounts of all Lapses of Land and other Allowances appropriated to Police purposes. *See Government Letter, 22nd November 1850, No. 8602, under* "Land."

SHETTIAS not allowed Compensation for the Abolition of Petty Huks, &c.

No. 1210 of 1855.

Territorial Department—Revenue.

To the COLLECTOR of POONA.

Copy of the Resolution passed by Government, under date 21st March 1855, on the Reports noted in the margin, on the Petitions from Bappoojee Rughoonath, Honup Shettia, and Naro Shunkur Shettia, Veerkur, of Poona.

1. Report by the Collector of Poona, No. 1538, dated 27th July 1854.
2. Further Report by ditto, No. 1919, dated 4th September 1854.
3. Report by ditto, No. 1570, dated 31st July 1854.
4. Ditto ditto, No. 1571, dated 31st July 1854.

Government has decided that these Petty Huks, levied by the Shettias of the Cusba of Poona, having been entirely abolished, Petitioners are not entitled to any compensation.

2. His Lordship in Council maintains the distinction which Government has already drawn between "Huks" on "Land Customs," "Mooshairas," &c., consequent on the abolition of which other taxes were substituted by Government, and Huks on taxes which were altogether abolished without the substitution of any other taxes. The Huks now claimed by the Shettias of Poona were of the latter description, and are, therefore, not such as would be compensated, even if their enjoyment by Petitioners up to the abolition of the tax which had been levied by Government could be proved.

3. As the Shettias are not now remunerated in any way for their services, the Collector's order to discontinue those services, in the Revenue Department, are approved. The Judicial Authorities should be informed that the services of the Shettias of Poona are no longer at their disposal without specific remuneration.

H. YOUNG,
Offg. Chief Secy. to Government.

SHROFFS required to sign all Receipts given to Villages, and to countersign the Talooka Books.

No. 3929 of 1850.

Territorial Department—Revenue.

To E. H. TOWNSEND, Esq., Revenue Commissioner S. D.

SIR,—The Right Honorable the Governor in Council having had under consideration your letter of the 26th March last, No. 1760, and the Proceedings held by the Judges of the Sudder Fouzdaree Adawlut, in the case of Bulwuntrao Dhondeo, Shroff, has determined on taking up the subject in the Judicial Department, and, for the present, only answering from this Department the two latter questions put by you in the 11th para. of your letter, viz :—

Shall they (the Shroffs) sign the *Village* Receipts—*i. e.* receipts given to Villages?

Shall they countersign the Talooka Books?

2. To these questions, His Lordship in Council has desired me to reply in the affirmative.

I have, &c.,
H. E. GOLDSMID,
Secretary to Government.

Bombay Castle,
13th May 1850.

SIGNATURES—Public Papers to be authenticated with Uniform and Legible ——. *See Government Notification of 15th August* 1832, *under* "Correspondence."

SIRDARS—The manner in which —— and other Natives of Rank should be treated by Government Officers.

No. 2654 of 1846.

Territorial Department—Revenue.

To E. H. Townsend, Esq., Revenue Commissioner S. D.

Sir,—In transmitting to you the accompanying extract para. 2 from a letter No. 1163, from the Register to the Court of Sudder Adawlut, in the Political Department, dated the 11th ultimo, and of the documents* noted in the margin, I am directed by the Honorable the Governor in Council to request that you will issue instructions to the Officers under your control, including those of the Revenue Survey Department, to the effect of those* issued by the Judges of the Sudder Adawlut, regarding the manner in which persons of Rank should be treated by the Officers of Government.

Extract paras. 3 and 4 of a letter from Mr. Warden, the late Agent for Sirdars, dated 2nd March 1846.

Translation of a Memorial from Bulwuntrao Mahadeo Rastia, dated 5th February 1846.

Extract para. 2 of a letter to the Register of the Sudder Adawlut, dated 2nd April 1846.

I have, &c.,

R. K. Pringle,

Chief Secretary.

Bombay Castle,
20th June 1846.

Circular.

No. 2436 of 1847.

Territorial Department—Revenue.

To the Revenue Commissioner S. D.

Sir,—I am directed by the Honorable the Governor in Council to transmit, for your information and guidance, a copy of Circular instructions, issued on the 28th May 1823, by Mr. Chaplin, then Commissioner in the Deccan, to his Assistants.

2. In furnishing you with these instructions, I am directed to inform you that, in a recent Despatch from the Honorable the Court of Directors, it has been intimated to Government that unbecoming treatment of the Natives of India, by any of their Public Servants, will be considered a disqualification for offices which may bring them into intercourse with the Natives.

I have, &c.,

W. Escombe,

Secretary to Government.

Bombay Castle,
18th June 1847.

Copy of Circular Instructions, issued by Mr. Chaplin, dated the 28th May 1823.

Having recently received a Despatch from Government, in the course of which the Honorable the Governor in Council expresses the high sense he entertains of the importance of paying proper attention to Natives of Rank, and under the

* These papers enjoined on Collectors and their Assistants and the Revenue Survey Officers, the necessity of treating Sirdars with respect, and of transacting business with them in person, and not by the intervention of Mamlutdars and Mahalkurrees.

conviction that no branch of their public duty has a stronger claim to their observance, avails himself of the occasion to request, that particular pains may be taken to explain to the public functionaries in the Deccan, his anxiety, that they should endeavour to conciliate the Gentry of the Country, I have now the honor to convey to you the wishes of Government on this subject.

2. Your own experience, added to the instructions at different times issued on this topic, supercedes the necessity of enlarging upon it to you personally; but, as it cannot be too forcibly impressed upon the minds of your Assistants, I beg leave to recall their attention to the valuable advice contained in the printed notes by Sir John Malcolm which have been already circulated for the use of your Office.

3. The great, but almost universal, error, which young men of little experience in India are apt to fall into, is to think too much of themselves, and very little of the Natives. This assumption of superiority often leads to a haughty and supercilious demeanour, extremely offensive to all classes, and productive of great injury to the Public Service; for it is only by an unreserved communication with all descriptions of persons that a knowledge of abuses is to be obtained, and the local ministerial Officers kept within the line of their duty. The good sense, however, of the great majority of well educated young men who now come out to this Country, enables them very soon to perceive, that, in many of the most important branches of the Service, they are extremely helpless without the assistance of intelligent Natives, while they, at the same time, observe that almost all those Public Officers who have most distinguished themselves, have been remarkable for having freely consulted, and conversed with, all classes, whose opinions and information, although they have been implicitly governed by none, have been mainly instrumental in contributing to their eminence and advancement.

4. Besides the personal benefit to be derived from observing the line of conduct here indicated, nothing perhaps would conduce more to reconcile the higher classes of Natives to the change of rulers, than an unreserved personal intercourse with them. The advantages to all parties would be very great. We should acquire a better knowledge of their character and habits, and be enabled to appreciate their good qualities. We should also obtain a degree of popularity, which would be highly beneficial to Government. They, on the other hand, would be gainers by a better acquaintance with our national character, and the principles of our administration; and, by a more intimate observation of the effects of an advancement in general science and civilization, would conceive a taste for improvement, from which the most important results might be anticipated.

5. Although the maintenance of such an intercourse, as I have described, was strongly recommended by the Honorable the late Commissioner, yet I am led to believe, that sufficient consideration has hardly yet been given to the subject. When on circuits, the visits of the Gentlemen of the Country should always be received and encouraged as much as possible, due attention being shown to the grades of

precedency and honors formerly enjoyed by them, and founded on long and received custom. To refuse them these common attentions to ceremonies, is to do them a serious injury, because it is equivalent to an expression of contempt and illwill, and tends to degrade them in the eyes of their own people: although we may attach little importance to their forms, yet we ought to recollect the influence which ceremonies, however vain and empty, have on the minds of all Natives, and what fatal consequences a deviation from established practice in this particular has sometimes produced. We have only to look back to history to find various instances in which revolutions have been brought about by discontents engendered by less considerable causes. Representing Government, we should therefore always keep in mind that our conduct, when we do not conform to the spirit of the people, reflects upon the national character, which has hitherto been considered invariably tolerant of all Native habits and prejudices, whether they relate to religion, morals, or manners.

6. This toleration is the more requisite when we consider the relation that subsists between them as a conquered people, and us as foreigners. If it be just to suppose that a Government of strangers, who have come from a distance of half the globe, notwithstanding every wish to conciliate attachment, must still be felt as irksome if not degrading, our own interests, if not those of humanity, should dictate to us the propriety of contributing all we can towards maintaining that empire of opinion which, as far as respects our power, our justice, and our moderation, is acknowledged to be the main support of our administration. Every individual has it in his power to strengthen this tie which unites the conquered to the conquerors, by adhering to the humanizing policy which I am endeavouring to inculcate. It is a trite, but a just observation, that it is as necessary to leave to a subjugated people their manners, as to let them enjoy their laws. It is in a great degree by these means that we must hope to preserve their fidelity and allegiance, and thereby cement the widely disjointed but not dissimilar parts of our Indian sovereignty. I am fully aware of the personal sacrifices required, of the want of leisure, and, above all, of the difficulty we must experience in associating with the Native Gentry, or assimilating with their very opposite customs; but although complete success is not attainable, yet, by giving up some of our own prejudices, much may be effected towards being reconciled to Native manners and institutions.

7. In attending to the usual forms of civility to which the Natives have been accustomed, it is better to err on the safe side by yielding more, than less, of etiquette, than they are entitled to. I do not mean by this concession that the dignity of the European character should be anywise compromised; but I am convinced, that that dignity is best maintained by not standing up stiffly and arrogantly in matters of little moment. It may be recollected that since the change of Government has inevitably deprived the Native Gentry of much of their consequence, it is the more

incumbent on us to continue to them the form of civil intercourse, and that although we may be apt to consider them far beneath us, nothing can be more injurious and cruel than to evince this opinion, either by wilful neglect, or wanton disregard of established usages. There are many peculiar circumstances of character that must prove an insuperable bar to any cordial interchange of sentiment, and some obvious defects and vicious propensities that will often provoke contempt; but when the motives are sufficiently strong, we know that it is in the power of every one to govern his temper. In dealing with all classes no one quality will stand us in more stead than patience. It has been well observed by a modern writer in England, that many a man would rather you heard his story than granted his request. Those who have had experience, will readily acknowledge the applicability of this remark to the Natives of this country.

8. So much has been, on former occasions, said on this head, that it would be an unnecessary occupation of your time to dilate upon it. It will not, however, be useless, I hope, to request your constant attention to the necessity of impressing on those who are placed under your authority the solicitude which the Honorable the Governor in Council has manifested, that this primary part of their duty may not be neglected.

I have, &c.,
W. CHAPLIN.

Poona,
28th May 1823.

STAMPS—Collectors to adopt measures to ensure Stamp Venders being always supplied with a sufficient number of —— of every description likely to be required.

No. 4993 of 1853.

Territorial Department—Revenue.

To the REVENUE COMMISSIONER N. D.

For information and for communication to the Collectors of his Division, except the Acting Collector of Ahmedabad, who has been furnished with a copy of the Resolution.

Extract paras. 1 and 2 of the Resolution passed by Government, under date 24th August 1853, on Reports, as per margin, on a Petition from Chugun Damodhur, and others, inhabitants of Bhownuggur, Ahmedabad Collectorate.

Report by the Acting Collector of Ahmedabad, No. 471, dated the 30th July 1853.
Report by the Acting Superintendent of Stamps, No. 348, dated the 15th August 1853.

1. The Acting Superintendent of Stamps to be requested immediately to issue such circular instructions to the several Collectors as will ensure the Stamp Venders being always supplied with a sufficient number of Stamps of every description likely to be required.

2. Mr. Hadow to be informed that Government consider his Department much to blame for the public inconvenience that has been sustained, and that they consider now that Uncovenanted Deputies have been appointed to the Head Quarters Stations, the presence of a Covenanted Assistant at the opening of Stamp consignments is unnecessary.

A. MALET,
Chief Secretary to Government.

STAMPS—On the issue of —— , they are to be carefully examined, and all that may be found defective, or to have deteriorated, are to be returned for Exchange.

No. 1668.

Judicial Department.

To the SUPERINTENDENT OF STAMPS.

SIR,—I am directed to acknowledge the receipt of your letter, dated the 28th ultimo, No. 4, and in reply to inform you, that the specimens of Stamp-paper therewith forwarded, appear to the Honorable the Governor in Council, on inspection, to be sufficiently strong and good for the purpose for which they are required.

2. With a view, however, to avoid any future complaints on this subject, I am instructed to request, that you will be pleased to issue a Circular to all the Departments to which Stamps are supplied, requesting a careful examination of the paper issued to them, and the return of any, which may appear to be defective, or to have deteriorated, in order that other paper, of the quality now submitted to you, may be supplied.

3. The specimens, which accompanied your letter, are herewith returned.

I have, &c.,
W. R. MORRIS,
Secretary to Government.

Bombay Castle,
23rd June 1840.

STAMPS—The Books, &c. of all Venders of —— to be examined each Month by the Native Judicial Officers.

No. 1589 B of 1843.

Judicial Department.

To the REVENUE COMMISSIONER S. D.

SIR,—I am directed by the Honorable the Governor in Council to transmit to you a copy of a letter this day addressed to the Judges of the Sudder Dewanee Adawlut, relative to the examination, by the Native Judicial Functionaries, of the Stamp Venders' Books, and the balance of paper in hand at the close of each month; and to request that you will be pleased to issue to all the Collectors under your control the necessary instructions for giving effect to this arrangement.

I have, &c.,
W. ESCOMBE,
Secretary to Government.

Bombay Castle,
24th July 1843.

No. 1587 of 1843.

Judicial Department.

To the REGISTER of the SUDDER DEWANEE ADAWLUT.

SIR,—In acknowledging the receipt of your letter No. 1238, dated the 23rd ultimo, I am directed to inform you, that the Honorable the Governor in Council approves of the suggestions submitted in the 3rd para., and to request that the Judges of the Sudder Dewanee Adawlut will be pleased to cause the requisite instructions to be issued for the Native Judges to examine and report on the Stamp Venders' Books and balance in hand at the close of each month, as they at present do on the balance of cash in the hands of Mamlutdars.

I have, &c.,
W. ESCOMBE,
Secretary to Government.

Bombay Castle,
24th July 1843.

STAMPS—The orders contained in the Circular of 8th December 1840, relative to the Examination of District Treasuries, to have effect as regards the Monthly Inspection of —— as well as of Money.

Circular.

No. 1500 of 1851.

To all the COLLECTORS.

SIR,—I have the honor to request you will have the goodness to report how, and by whom, the Books and Balance at the close of each month, in the hand of the Stamp Venders, are examined, where there are no Native Judicial Functionaries.

2. I beg, at the same time, to annex, for your information and guidance, extract para. 2 of Government letter No. 5747, of 22nd instant, relative to the mode of carrying out the instructions of Government, dated 4th December 1840, No. 733.

Extract para. 2 of Government Letter No. 5747, of 22nd May 1851, to the Revenue Commissioner Northern Division.

"Para. 2. The Government Orders No. 733,* dated the 4th December 1840, for the examination of Talooka Treasuries at places where no Native Judicial Functionaries reside, should have effect as regards the Monthly inspection of Stamps as well as of Money."

I have, &c.,
A. N. SHAW,
Revenue Commissioner N. D.

Rev. Com.'s Camp, Mahableswur,
27th May 1851.

STAMPS—One year fixed as the period for returning Stamped Paper once purchased from Government Venders.

* For this Government Letter, see under the Head "*Treasuries.*"

No. 115 of 1853.

Territorial Department—Revenue.

To H. E. GOLDSMID, Esq., Secretary to Government.

SIR,—I am directed to acknowledge the receipt of Mr. Chief Secretary Malet's letter No. 5526, dated 21st August last, forwarding extracts from the papers relative to the interpretations passed by the Court in 1829 and 1836 on Clause II. Section IX. of Regulation XVIII. of 1827, and requesting information as to which of them is to be construed as the Law by the Local Officers of Government, and, if the earlier one, asking the Judges to prepare a draft of an Enactment to make the rule advocated by the Sudder Adawlut in 1836, the Law.

Present—J. Warden, P.W. LeGeyt, and G. Grant, Esqs.

2. In reply, I am to state, that there is no doubt that the Circular of 1836 could not be enforced; and the Judges are of opinion that, instead of passing an Enactment, it is better for the Court to interpret "that the time within which the holder of a Stamp may return it to the person who lawfully sold it, is subject to those official arrangements which are mentioned in Section V. of Regulation XVIII. of 1827."

3. Under the above interpretation, Government could instruct the Superintendent of Stamps and Collectors to fix one year, or less, as it pleases them, for the limit.

4. With the concurrence of Government, the interpretation will be published.

I have, &c.,

M. LARKEN,

Register.

Bombay Sudder Dewanee Adawlut,
12th January 1853.

No. 681 of 1853.

Territorial Department—Revenue.

To M. LARKEN, Esq., Register to the Sudder Dewanee Adawlut.

SIR,—I have been directed to acknowledge the receipt of your letter No. 115, dated 12th ultimo, and to request that the Judges will have the goodness to publish the proposed interpretation as to the period within which the holder of a Stamped Paper may return it to the person who lawfully sold it.

I have, &c.,

J. G. LUMSDEN,

Secretary to Government.

Bombay Castle,
3rd February 1853.

STAMPS—All —— received back from Purchasers, to be Endorsed with the date of return: care enjoined that the Venders can read English Numbers correctly.

Circular.

No. 15 of 1851.

Judicial Department.

To all the COLLECTORS.

SIR,—I am instructed by the Right Honorable the Governor in Council to request that you will have the goodness to direct the Stamp Venders under your orders to endorse the date of return on all papers which they may henceforth receive back from purchasers.

2. You will also be careful to ascertain, before any one is in future appointed to the situation of Stamp Vender, that the party can read the English Numbers correctly.

I have, &c.,

Bombay Castle,
7th January 1851.

C. J. ERSKINE,
Deputy Secretary to Government.

STAMPS—The entry made in the Sale-Register to be transcribed on all ——.

Circular.

No. 1106 of 1842.

Judicial Department.

To all the COLLECTORS.

SIR,—In transmitting to you, for your information and guidance, the accompanying extract from the proceedings of Government, I am directed by the Honorable the Governor in Council to request, that you will cause the arrangement therein notified, of transcribing, on each Stamp, at the time of Sale, the entry made in the Sale-Register, to be adopted throughout the Collectorates under your control, in order to facilitate the detection of the forgery of Stamped papers.

An extract para. 12 of a letter from the Superintendent of Stamps and the Mint Master.

An extract para. 3 of the reply of Government of this date.

I have, &c.,

Bombay Castle,
17th May 1842.

J. P. WILLOUGHBY,
Secretary to Government.

Extract para. 12 *of a Letter from the Superintendent of Stamps and Mint Master, dated* 24*th November* 1841.

"Para. 12. In conclusion, therefore, we would beg to suggest, that the alteration of the present Dies, as proposed in para. 6, be tried; and should this fail, either of the other plans might be resorted to. We would also recommend that the suggestion of Mr. Hart, contained in the 14th para. of his Report, namely the transcribing, on each Stamp sold, the entry made in the Sale-Register, be immediately adopted, as calculated to afford some check, by increasing the facility of detection."

Extract para. 3 *of a Letter to the Superintendent of Stamps and Mint Master, dated* 17*th May* 1842, *No.* 1103.

" Para. 3. The Governor in Council also approves of the measure alluded to in the 12th para., proposed by Mr. Hart, of transcribing, on each Stamp, at the time of Sale, the entry made in the Sale-Register, and instructions have been issued to the several Collectors for giving effect to this Resolution."

STAMPS—Pieces of Paper not to be pasted on —— when these are torn.

Extract, being para. 1 *from the Government Circular No.* 345, *dated* 15*th February* 1838.

" Para. 1. In continuation of Mr. Secretary Bax's Circular, dated the 15th February 1833, No. 353, directing that Stamped Paper in any way injured, or of bad quality, should be returned to the Superintendent of Stamps, for the purpose of being replaced by good paper of the same value and number, I am instructed to inform you that the Right Honorable the Governor in Council is pleased to prohibit the practice of pasting pieces of paper on Stamps when torn."

STAMPS—Bills for ——, used in Judicial proceedings, to be sent direct by Collectors to the Civil Auditor, who will pass them.

No. 3159 of 1847.

Judicial Department.

To the Revenue Commissioner N. D.

Sir,—In transmitting to you the accompanying copies of a letter from the Collector of Ahmedabad, dated 20th July last, and of its enclosures, together with a report by the Civil Auditor, of the 6th August, I am directed to inform you, that the Honorable the Governor in Council has been pleased to resolve that, in future, all Bills for Stamps used in Judicial proceedings shall be submitted by the Collectors to the Civil Auditor who will pass them, provided they are signed by the Collectors and have the usual declaration attached of the charges being just and correct to the best of their knowledge. You will have the goodness to issue the requisite instructions on this point to the Collectors within your Division.

2. The amount sued for, and the purposes for which each Stamped Paper may be used, should be stated in the Bills, in order that the rates, as far as practicable, may be tested in the Civil Auditor's Department, by the Bombay Regulations of 1827.

I have, &c.,

Bombay Castle,
15th November 1847.

J. G. Lumsden,
Secretary to Government.

STAMPS.—No Stamp Karkoon stationed near a Mamlutdar's Kutcherry, or other Public Office, to retain Public Property at his private residence.

Circular.

No. 721 of 1849.

To the COLLECTOR of ———— .

SIR,—In consequence of a Stamp Karkoon, in the Kaira Collectorate, having retained, in his private house, Stamps and public money to the amount of Rs. 784-15-0, and a robbery of the same having taken place, you are requested to issue instructions, that no Stamp Karkoon, who is stationed near a Mamlutdar's Kutcherry or other public office, is to retain public property at his private residence.

2. Should a system different to this be in practice in your Zillah, you are requested to take such measures as may be deemed necessary for the safe custody of the Government property.

I have, &c.,
A. N. SHAW,
Revenue Commissioner N. D.

Rev. Com.'s Camp, Alibagh,
12th April 1849.

STAMPS—Receipts on account of —— to be cleared in the Accounts by "*Account Current, Bombay,*" instead of by "*Profit and Loss.*" They are not to be excluded from Statement G accompanying the Jummahundy Reports. *See Revenue Commissioner's Memo. No.* 1614 *of* 1854, *under* "Accounts."

STAMP VENDERS—Care enjoined that —— can read English Numbers correctly. *See Government Circular No.* 15 *of* 1851, *under* "Stamps."

STATIONERY—Form of Indent for Periodical Supplies of ——.

Circular.

No. 178 of 1850.

General Department.

To the REVENUE COMMISSIONER S. D.

SIR,—Under instructions from Government, I have the honor to transmit, for your information and guidance, Forms of an Indent and of a Statement of Expenditure of Stationery, which you will be good enough to substitute for those now in use.

2. Instances have lately occurred wherein the Government Orders contained in the Circular No. 2554, of the 5th November 1830, have been lost sight of: I request your particular attention to those instructions, and beg that the Form of Indent now sent may be carefully observed, and that particular accuracy be used in preparing your Statement of Expenditure.

I have, &c.,
H. P. MALET,
Superintendent of Stationery.

Bombay,
16th March 1850.

STATIONERY—A Covenanted Servant required to attend at the Opening of Packages of —— on the arrival of the latter at their destination.

Notification.

General Department.

The Right Honorable the Governor in Council is pleased to direct that, on the transmission of Stationery, Woollens, &c., from the Presidency to an Outstation, a person, on the part of the Commissariat or Contractor, shall attend at the Warehouse at the packing up of the contents, and receive immediate charge of the packages, and that a Covenanted Servant shall attend at the opening of the packages on their arrival at their destination.

By order, &c.,

J. Bax,

Secretary to Government.

Bombay Castle,
23rd January 1833.

STATIONERY—The —— supplied by Government to each Department required to be Stamped.

Notice.

The following extract, para. 2 of Mr. Secretary Lumsden's letter No. 1777, of the 14th May 1852, is published for the information of all Officers obtaining their supplies of Stationery from the Public Stores, who are hereby requested to carry out the instructions of Government therein contained.

Extract from a Letter from Mr. Secretary Lumsden, No. 1777, dated 14th May 1852, to the Officer in Charge of the Stationery Department.

" His Lordship in Council approves of the introduction into this Presidency of the system of Stamping the Public Stationery, and directs that each Office be required to stamp its own supply as received—Dies being provided for the purpose by the several officers, and charged for in Contingent Bills. Heads of Offices are requested to have all paper in Store stamped as early as possible. The Stamp should be impressed on the left hand side, one inch from the edge, and equidistant from the top and bottom of each sheet."

F. Hutchinson,
Collector of Bombay,
in Charge Stationery Department.

Bombay, 7th December 1852.

STATIONERY—Rules for Checking an improper use of ——

Circular.

No. 2554 of 1830.

General Department.

To ——————————.

Sir,—I am directed to acquaint you that, with the view of checking the undue use of Stationery, the Honorable the Governor in Council is pleased to establish the following Rules:—

1*st.*—The charge of Stationery, in each Department, is to be entrusted under the head of the Department to one individual, who shall be held responsible for it.

2*nd.*—The Head Clerk, or one whose knowledge of the duties and whose character points him out as fittest for the duty, is alone authorised to sign orders for Paper and Quills expressly required for the Public Service by any of the Clerks or Purbhoos; and every order shall specify the name of the person requiring Stationery, the quantity and description, and the date and specific purpose for which it is to be used.

3*rd.*—Knives, Inkstands, Rulers, &c. &c. (durable articles), shall only be issued on an order countersigned by the Head of the Office or Senior Covenanted Assistant present, which must specify that the worn-out article has been produced, or must otherwise account satisfactorily for the demand.

4*th.*—The person in charge of Stationery is strictly prohibited from complying with any other order; and he is to file every order on his complying with it.

5*th.*—On the last day of each month, entries are to be made in the Stationery Book, from the orders so filed of the total quantity, and the balance in hand is to be compared with that shown in the book; and the Junior Covenanted Assistant is carefully to examine the monthly entries in the Stationery Book, and sign it.

6*th.*—A Statement, showing in twelve columns the issue of Stationery during the past year, and certified by the Head of the Department, is to be an indispensable voucher to the Warehouse-keeper to enable him to admit the quantity shown as expended during the past year in every Annual Indent for Stationery; and the Warehouse-keeper is prohibited from complying with any Annual Indent that is not accompanied with such Statement.

7*th.*—A copy of these Rules is to be written out fair in the first page of the Stationery Book of each Department supplied from the Public Stores.

J. P. Willoughby,
Secretary to Government.

Bombay Castle,
6th November 1830.

STATIONERY.—Public Departments to be restricted to the use of inferior sized Paper, whenever Tabular Statements do not render the use of a larger kind of Paper necessary.

Circular.

No. 1892 of 1836.

General Department.

To the REVENUE COMMISSIONER.

SIR,—I am directed to transmit to you the accompanying extract (para. 13) of a letter from the Honorable the Court of Directors, No. 41, of 16th December 1835, and to convey the instructions of the Right Honorable the Governor in Council, that you will restrict yourself to the use of inferior sized Paper whenever Tabular Statements do not render the use of a larger kind of Paper necessary.

I have, &c.,
W. H. WATHEN,
Chief Secretary to Government.

Bombay Castle,
22nd June 1836.

Extract of a Letter from the Honorable the Court of Directors, in the Public Department, No. 41, of the 16th December 1835.

"Para. 13. You will, in future, be careful to regulate your Indents according as you may be able to make use of Paper of inferior size, or otherwise to restrict the expenditure of Stationery in the several Departments."

(True extract)
W. H. WATHEN,
Chief Secretary.

STATISTICS—Instructions relative to the Collection of Statistical Information for the Honorable the Court of Directors.

Circular.

No. 1947 of 1846.

To the COLLECTORS N. D.

SIR,—I am directed by the Honorable the Governor in Council to transmit copy of a Despatch from the Honorable the Court of Directors, relative to certain Statistical inquiries that are anxiously called for, and on which you will favor me by furnishing any information in your power to enable the same, being transmitted to the Home Authorities.

2. In making these Returns, I would beg particularly to draw your attention to paras. 6 and 7 of the Court's Despatch, in which the most rigid accuracy is enforced, and suggest, (relative to subjects where physical science may be requisite in replying to the same,) that the Medical Officers of Stations may be consulted.

3. I am further directed to state, that your successful labors in the work thus pointed out to you by the Honorable the Court will entitle you to the favorable notice of both the Indian and Home Governments; and it is therefore hoped you will lose no opportunity of affording information, either through yourself or your Assistants, on any of the subjects noted, that may be in your power to do relative to your Districts.

4. You will favor me by forwarding a copy of this letter and of the Court's Despatch to your several Assistants, and also to the Civil Surgeons of your Station.

I have, &c.,

J. W. LANGFORD,

Actg. Revenue Commissioner N. D.

Rey. Com.'s Camp, Tanna,
26th November 1846.

No. 6 of 1846.

Financial Department—Statistical.

OUR GOVERNOR GENERAL of INDIA IN COUNCIL.

1. The great practical importance of Statistical inquiries, and the attention which they now receive from the most enlightened European Governments, have induced us to take measures for investigating the Statistics of the countries under our administration, and for arranging and preserving, in a form convenient for reference, the information which may be attainable.

2. With the view of accomplishing these ends, we have formed a Statistical Department in our Home establishment, in which the requisite inquiries will be conducted, and the materials thereby obtained classified and compared.

3. The voluminous records and documents in our possession contain a vast amount of Statistical information, and the labors of the new Department will, in the first instance, be directed to extracting and rendering it available for reference. These duties, which have already commenced, will continue for a long period to claim a large share of the time and attention of the Department; but the results will be imperfect unless, by the co-operation of our Government in India in collecting and transmitting Statistical information, we are enabled to remedy the defects, correct the inaccuracies, and, as the condition and circumstances of all countries are in many respects constantly varying, to note the changes which time or other causes may produce.

4. We do not doubt that our servants will cheerfully afford their assistance for these purposes; and as the aid which they may render in this respect is not intended, and must not be permitted, to interfere in any degree with their ordinary duties, no detriment will arise to the Public Service, but on the contrary much advantage may be expected from the transmission Home of such information as to local details which so many of our servants cannot fail to possess.

5. Information will be most desirable on such subjects as the following :—

Land.—Area.
Geological structure.
Natural aspect.
Soil.
Atmosphere and climate.
Productions.
Modes of cultivation.
Prices of principal products.
Tenure and occupation.
Modes and rates of assessment.
Labor employed and its remuneration.

Water.—Navigable rivers.
Description of do.
Length of do.
How far navigable.
Vessels employed on them.

Lakes.—Description and situation.

Canals.—Their purposes.
Length and depth.
Vessels employed on them.
Cost and return on the outlay.
Wells and tanks.
Means of irrigation in each District.
Harbours, and shipping frequenting them.

Cities.—Towns and villages.
Situation and general description.
Number of houses, and whether pukkà or kutcha.

Population.—Numbers of people of different descriptions.
Employment.
Languages.
Condition.
Health and disease.
Ditto of Troops, especially with presumed causes of healthy or diseased state, and the treatment (not strictly medical) found to be useful.

Wealth.—Education, and method of pursuing it.
Charitable institutions not educational.

State of Litigation and of Crime—
Police, number, remuneration, and efficiency.

Commerce.—Manufactures.
Capital employed.

Commerce.—Imports and exports from official sources.
Exchange.
Weights and Measures.
Coins.
Banking operations.
Lending and borrowing.
Modes of transit and communication.
Modes of Transit and Communication.—By land.
By water.
Impediments and their duration.
Fords, ferries, and bridges.
Postal arrangements.
Taxation.—Sources of revenue, and produce of each tax.
Mode of collection.
Number, in Seebundy or other Corps, engaged in collecting revenue.
History and Antiquities; facts illustrative of early or more recent history, and of changes political or agricultural.
Public Buildings.

6. We need scarcely observe that in Statistical investigations, the most rigid accuracy as to matters of fact, is indispensable. Erroneous information will be worse than none, because it can but tend to mislead.

7. There may be some subjects, especially those relating to physical science, with which our Servants generally may not be minutely acquainted, and no statement on these or any other matters of inquiry will be of any value, unless they be both precise and accurate. Where the requisite measure of scientific knowledge is not possessed by others, it may, perhaps, in many cases, be supplied by our Medical Officers, and their aid will, we doubt not, be cheerfully rendered whenever required.

8. In conclusion, we direct attention to the following general instructions;—

9. In all cases where practicable, Reports should be the result of the personal knowledge of the Officers reporting; and where such is the fact, it should be mentioned.

10. Where, from any cause, the personal knowledge of the Officer cannot be extended to any object of inquiry, the authority on which the reported facts rest must invariably be stated, either in the margin, or in the body of the report.

11. When estimates only can be furnished, the grounds of each estimate must be stated, and the reasons for adopting it.

12. Where information is orally given, it should be committed to writing at the time; in like manner personal observations should be recorded at the moment of making them.

13. In addition to the names by which places are known among Europeans, it would be desirable that the original names should be given both in the Devànàgàri* and Oordoo character, according to the best authorities, especially Local and Native.

* The Proclamations and State advertisements in the Calcutta Gazette are usually printed in the Devànàgàri, as well as in the Oordoo or Arabic character.

14. In regard to coins, weights, and measures, care must be taken to preserve uniformity as to valuation, comparison, and conversion, and to ensure this, Prinsep's useful Tables may be taken as a guide.

15. Where any material variations exist in different parts of any country or divisons of a country reported on, the nature and limits of such variations should be precisely pointed out.

16. It will be observed, that the greater part of the instructions above given are designed to ensure accuracy, the importance of which we have already adverted to. It is the more necessary to dwell upon this point, inasmuch as some previous attempts to afford statistical information are unsatisfactory because obviously incorrect.

17. Thus in a calculation* made of the population of the North-Western Provinces in 1826 (excluding the ceded Districts on the Nerbudda, and those ceded by the Rajah of Berar), founded on an actual enumeration of the Villages in those Provinces, and a partial enumeration of the houses, the amount is taken at 32,206,806, and the number of square miles occupied by this vast mass, as ascertained by measurement upon a map, is stated to be 66,510. Thus, rejecting fractions, it would give a population of 484 to the square mile; while, in an estimate of the population of the principal portion of the Lower Provinces of the Bengal Presidency in 1822, the amount is given at 37,503,265, and the amount in square miles (ascertained, as in the North-Western Provinces, by measurement upon a Map) at 153,802, affording no more than 243 inhabitants to the square mile, little more than half the number claimed for the North-Western Provinces, notwithstanding that the Lower Provinces contained the great cities of Calcutta, Dacca, Moorshedabad, and Patna, and the populous tracts around them.

* Vide Statement of the extent and population of British India, as officially returned by the Searcher of Records of the East India Company, in first Appendix to the 3rd Report from the Select Committee of the House of Commons, 1831. These Statements have been adopted by the Honorable Mr. Elphinstone. (Vide his History of India, Vol. 1, page 5.)

18. But the population of China, universally considered one of the most densely peopled countries, is, according to the highest Native† estimate, only 277 to the square mile.‡

19. Further, in a Statement of the Statistics of the North-Western Provinces, printed by order of the Lieutenant Governor, and bearing date the 25th February 1842, exhibiting a view of the area and population of twenty-two Districts, constituting

† Census taken in 1812. (Vide Davies's China, page 413.)

‡ According to Mr. McCulloch (vide Geographical Dictionary, Vol. 1, page 852), the relative density of the population of France, abounding as it does in capital, manufactures, and large towns, is only 164 to the square mile.

by far the larger portion of those Provinces, we observe particulars which lead us to suspect that even this later document is not trustworthy. Aligurh, a district without any considerable town, is stated to have an agricultural population of 56,679, and a non-agricultural population exceeding it more than eleven times, the number given being 644,499; while the District Benares, containing the great and populous city of the same name, which, with its suburbs, has been estimated to contain 200,000 souls, is said to have 299,167 agricultural inhabitants, and only 145,940 non-agricultural.

20. We notice these extraordinary errors that we may impress upon those who may be called upon to act upon our present orders, the necessity of employing such vigilance and attention as may be sufficient to guard against the transmission hereafter of any Statement so deficient in accuracy.

21. It should be fully borne in mind, that every Statement that may be furnished, will undergo searching examination at Home, and we trust that each one will be prepared with such care as may ensure our approbation.

We are, &c.,
J. W. Hogg,
And other Directors.

London, 3rd June 1846.

SUITS—Orders defining the Duties of the Legal Remembrancer in connection with —— instituted by, or against, Government.

No. 1322 of 1842.

Judicial Department.

To W. Howard, Esq., Barrister at Law.

Sir,—I am directed to inform you, that the Honorable the Governor in Council has resolved, with the concurrence of the Government of India, to appoint a "Remembrancer of Legal Affairs" at Bombay, for the purpose of superintending the conduct of all original Suits in the Mofussil Courts of this Presidency, and Appeals to the Sudder Dewanee Adawlut and the Queen in Council, in which the Government may be a party, either as Plaintiffs or Defendants.

2. I am also instructed to acquaint you, that the Governor in Council is pleased to appoint you to the office in question, on a salary of five hundred Rupees per mensem; and you are distinctly to understand that this allowance is intended to cover all charges for establishment and contingencies, and that it will on no account whatever be exceeded at any future period.

3. All Suits and Appeals of the nature adverted to, instituted either against the Government or in its behalf, will be immediately referred to you by the Collectors or other Officers conducting them. It will then be your duty to decide on the course which it may be expedient to adopt in respect to such Suits or Appeals, and

to submit them for the final orders of Government in the event of your deeming it advisable either to prosecute or defend them.

4. It will likewise be necessary for you to advise the Officer conducting the Suit or Appeal as to the points which may require to be proved or urged in evidence before the Civil Courts or the Privy Council, in cases appealed to that high authority; and you are requested carefully to suggest that every step be taken in the proceedings relating thereto which is required by the Bombay Code of Regulations, and the laws relating to Appeals, during the progress of the Suits and Appeals through the several Courts.

5. I am further directed to point out, that it will be essential that you should give your greatest attention to take care that no omissions or irregularities occur in Appeals to Her Majesty in Council.

6. As the office of Legal Remembrancer has been long in existence in Calcutta, an application has been made to the Government of India for copies of any rules which may be in force at that Presidency relating to it; and, on the receipt of a reply to the reference, more detailed instructions will be furnished to you for your guidance in conducting the duties of your appointment. In the mean time, however, you are requested to favor Government with your opinion relative to the mode in which the details of the Office should be conducted.

I have, &c.,
L. R. Reid,
Chief Secretary.

Bombay Castle,
6th June 1842.

N.B.—On the subject of the 3rd para. of the above Letter, see the Government Orders of 28th July 1842, No. 1683, and 15th February 1848, No. 965, which follow.

No. 1683 of 1842.

Judicial Department.

To W. Howard, Esq., Remembrancer of Legal Affairs.

Sir,—With reference to the 3rd para. of Mr. Chief Secretary Reid's letter, No. 1322, dated the 6th ultimo, I am directed to inform you, that the Honorable the Governor in Council is pleased to modify the instructions therein conveyed, and to request that you will be pleased to furnish Government with a report on *all* Suits submitted to you in which Government may be a party.

2. I am further instructed to inform you, that the several Authorities have been instructed to submit their reports, as heretofore, to Government, in the Department to which the case may belong, whence it will be forwarded to you, when you can correspond with the Collectors, &c. if that measure be requisite, to enable you to report on the Suit.

3. The Governor in Council also desires me to intimate to you, that instructions for either the defence or the abandonment of the Suit will then be communicated to you by Government; and, in the event of the former being decided on, you will

take charge of the conduct of the Suit under the general instructions already conveyed to you for the conduct of your duty.

I have, &c.,
W. R. MORRIS,
Secretary to Government.

Bombay Castle,
28th July 1842.

SUITS—How Collectors are to proceed whenever the Interests of Government require them to institute or defend —— on their behalf.

Circular.

No. 965 of 1848.

Territorial Department—Revenue.

To all COLLECTORS.

SIR,—A Collector having lately quoted the Circular of the 20th September 1830, No. 2901, as his authority for filing a Suit, without making a previous reference on the subject to either the Legal Remembrancer, or Government, I have been directed by the Honorable the Governor in Council to remind you that this Circular was cancelled by the letters to the Legal Remembrancer, dated 6th June, No. 1322,* and 28th July 1842, No. 1683.†

2. Whenever you may think that the interests of Government require that you should institute a Suit on its behalf, you are to report the circumstances in detail to the Legal Remembrancer,‡ who, having made to you any further references he may deem necessary, will advise Government as to the course of proceeding to be adopted.

‡ See para. 2 of the Government Letter No. 11083, of 25th November 1851 (page 901).

3. Whenever a Suit may be filed against you, as an Officer of Government, you are without delay to forward to the Secretary to Government, in the Department to which the case may belong, translation of the Plaint, with marginal notes,§ stating the truth or otherwise of each assertion therein made, as also a letter explanatory of every circumstance not sufficiently elucidated by the plaint and marginal notes.

§ See the Government Circulars No. 2423 of 1842; No. 198 of 1843; No. 3670 of 1843 (page 902).

4. Whenever a suit, which you have been authorised by Government to institute or defend, is decided for or against you, you are without delay to forward translation of the decree, with marginal notes, and explanatory letter as above to Government; and whenever a Suit has been decided in your favor, and the opposing party may appeal, you are forthwith to report the circumstance to Government.

5. Copies of the letters and their accompaniments which you may forward to Government in compliance with the directions conveyed in the two preceding paras., will be sent from the Secretary's office to the Legal Remembrancer, who,

* See page 896. † See page 897.

after having obtained direct from you whatever further information he may deem necessary, will place before Government his opinion.

6. You are to be guided by the instructions which Government may give you regarding the original Suits referred to in paras. 2 and 3, and Appeals in para. 4 of this letter.

7. The only cases in which you are to consider yourself at liberty to institute or defend an original Suit or Appeal without the previous sanction of Government, are those in which there may be no time for obtaining that sanction; and in such cases, which can but very seldom occur, unless there is delay on the part of yourself or Wukeel, you must exercise your discretion, making an immediate and detailed report to Government of your reasons for having done so.

I have, &c.,
C. J. ERSKINE,
Deputy Secy. to Government.

Bombay Castle,
15th February 1848.

No. 967 of 1848.

Territorial Department—Revenue.

Copy of the above Circular is forwarded for the information of the Revenue Commissioner Northern Division.

By order, &c.,
C. J. ERSKINE,
Deputy Secy. to Government.

Bombay Castle,
15th February 1848.

SUITS—Liability of Local Officers to the Payment of the Costs of —— arising from their acts.

No. 3198 of 1841.

Territorial Department—Revenue.

To J. VIBART, Esq., Revenue Commissioner.

SIR,—I am directed by the Honorable the Governor in Council to forward for your information an extract para. 13 of a letter from the Honorable Court of Directors, No. 10, dated the 19th of July last, relative to the liability of the Local Officers to the payment of the Costs of Suits arising from their acts in their public capacities, with copy of the instructions issued this day to all the Collectors on the subject.

I have, &c.,
D. A. BLANE,
Acting Secretary to Government.

Bombay Castle,
21st October 1841.

Extract of a Letter from the Honorable the Court of Directors, dated the 19th July 1841, No. 10.

"Para. 13. We further desire, that in all cases in which any of our Servants may be concerned in a Suit, arising out of acts alleged to have been done by him in his public capacity, the question of his liability to the payment of Costs may be expressly reserved for your decision, after a copy of the final decree shall have been laid before you."

(True extract)
D. A. BLANE,
Acting Secretary to Government.

Circular.
No. 3197 of 1841.
Territorial Department—Revenue.

To ——————.

SIR,—In transmitting for your information an extract para. 13 of a letter from the Honorable Court of Directors, No. 10, dated the 19th July last, relative to the liability of the Local Officers to the payment of the Costs of Suits arising out of their acts in their public capacities, I am directed by the Honorable the Governor in Council to request, that you will furnish Government with copies and translates of all decrées finally passed in cases in which,—the acts of your Department having come before a Judicial Tribunal, you may have become liable to the payment of Costs.

2. You are distinctly to understand that the mere sanction of Government given for the defence of a Suit against you in your official capacity, is not to be held as by any means exonerating you from all liabilities, and that this question will depend on the view which the Honorable the Governor in Council may take on your final report, when the decree is laid before Government.

I have, &c.,
D. A. BLANE,
Acting Secretary to Government.

Bombay Castle,
21st October 1841.

Circular.
No. 3128 of 1843.
Territorial Department—Revenue.

To ——————.

SIR,—With reference to the Circular Order dated the 21st October 1841, No. 3197, directing you to furnish Government with copy and translate of all Decrees finally passed in cases in which,—the acts of your Department having come before a Judicial Tribunal, you may have become liable to the payment of Costs,

I am directed to acquaint you, that the Honorable the Governor in Council is pleased to extend this rule to all cases in which actions, whether original or in appeal, may be brought against Collectors or other Officers of Government for acts done in their official capacity, whether the decision may be for, or against the defendants.

2. Those documents should be accompanied by such observations as you may think necessary to lay before Government on the issue of the Suit.

I have, &c.,
L. R. Reid,
Chief Secy. to Government.

Bombay Castle,
23rd September 1843.

SUITS—Reference for permission to File ——, to be made through Government, instead of direct to the Legal Remembrancer.

No. 11083 of 1851.

Territorial Department—Revenue.

To R. D. Luard, Esq., Collector of Continental Customs and Excise.

Sir,—I have been directed to acknowledge the receipt of your letter No. 3137, dated the 8th instant, with accompaniment, and to inform you that, in addressing the Legal Remembrancer direct, you acted in conformity to the instructions contained in para. 2 of the Government Circular of the 15th February 1848, No. 965.*

2. His Lordship in Council has, however, been pleased to modify those instructions so far as to require references for permission to file Suits to be made through Government, instead of direct to the Legal Remembrancer.

I have, &c.,
H. E. Goldsmid,
Secretary to Government.

Bombay Castle,
25th November 1851.

SUITS—Wukeels may be engaged on the part of Government, in Moonsiffs' Courts, to watch cases coming under the provisions of the Revenue Survey Rules.

No. 2322 of 1854.

Territorial Department—Revenue.

To the Revenue Commissioner N. D.

Copy of the Resolution passed by Government, under date 18th May 1854, on the Papers noted in the margin, relative to the employment in Civil Courts of First Instance of Wukeels on the part of Government.

Memo., by the Acting Revenue Commissioner Southern Division, No. 102, dated 10th January 1854.
Letter from the Collector of Sholapoor, No. 1041, dated 28th December 1853.
Letter from the Acting Collector of Ahmednuggur, No. 7, dated 3rd January 1854.

Mr. Loughnan's suggestions may be acted on by the Collectors of Districts where the Survey Assessment is being administered, care being taken that it is not carried out so as to encourage litigation, or

* See at page 898.

lead to the Wukeels raising questions, militating against the Survey Rules, which would not have otherwise arisen.

H. E. GOLDSMID,
Offg. Chief Secretary to Government.

No. 1041 of 1853.

From T. C. LOUGHNAN, Esq., Collector of Sholapoor,

To H. W. REEVES, Esq., Acting Revenue Commissioner S. D.

SIR,—I have the honor to bring to your notice, that a Government Wukeel is only retained for general duty in the Judge's Court in the Zillah, and that the recommendation of the Judges of the Sudder Dewanee Adawlut, approved in the 3rd para. of Government Resolution No. 7009, of the 5th instant, accompanying your endorsement No. 3157, dated 7th idem, will, therefore, be inefficacious towards the object in view in all the Courts of First Instance.

2. I respectfully beg to suggest, therefore, that a Wukeel be selected in the Court of all Moonsiffs, at the recommendation of the Judge, to act on all occasions for Government, as the *amicus curiæ*—to be paid, however, only when cases requiring their special employment arise, as at present,—the only difference as regards existing practice being that the same Wukeel shall always be employed, instead of any one being selected indifferently for each special case.

3. A good Wukeel would, it may be expected, be engaged on these terms in every Court.

I have, &c.,
T. C. LOUGHNAN,
Collector.

Sholapoor, Col.'s Camp Chandkowta,
28th December 1853.

(True copy)
H. E. GOLDSMID,
Offg. Chief Secy. to Government.

SUITS—The information which is to be furnished in Reporting on —— instituted against Government and its Officers.

Circular.
No. 2423 of 1842.
Territorial Department—Revenue.

To ——————.

SIR,—I am directed by the Honorable the Governor in Council to transmit to you the accompanying copy of an extract paras. 3 and 4 from a letter from the Remembrancer of Legal Affairs, dated the 21st June last, and to request that you

will conform to the suggestion of that Officer, in reporting, in future, on Suits instituted against Government and its Officers.

I have, &c.,
L. R. Reid,
Chief Secretary.

Bombay Castle,
17th August 1842.

Extract of a Letter from the Remembrancer of Legal Affairs, dated 21st June 1842.

"Para. 3. It would be a great assistance to me, in enabling me to tender advice to Government on these subjects, if the defendant, in forwarding the translation of a Plaint filed against him, would, in addition to his own statement, make marginal notes* on the translation of the Plaint itself,—pointing out what allegations therein are true, and what are not true.

* See the Government Circulars No. 198 of 1843, and No. 3670 of 1843, which follow.

"4. In most of the cases that I have seen, there have been many facts stated in the Plaint of great importance, as it seemed to me, but which were wholly unnoticed in the Collector's letter; and it is highly desirable that I should know exactly how far the Government Officer sued, admits the Plaintiff's statement, and how far he denies it. The defendant also would much assist me if he would complete the translation of the Plaint, by explaining the Revenue terms or other Native expressions employed."

Circular.

No. 198 of 1843.

Territorial Department—Revenue.

To all the Collectors.

Sir,—In transmitting the annexed extract (para. 3) of a letter No. 2, dated the 8th instant, from the Remembrancer of Legal Affairs, the Honorable the Governor in Council instructs me to enjoin you to be careful, in reporting, in future, on Suits filed against Government, to attend to the directions contained in my Circular of the 17th August last, No. 2423.

I have, &c.,
L. R. Reid,
Chief Secretary.

Bombay Castle,
19th January 1843.

Extract of a Letter from the Remembrancer of Legal Affairs, dated 8th January 1843.

"Para. 3. I beg to draw your attention to the circumstance that, in this case and in some others, a request I had the honor of making formerly to Government, and which I believe was circulated amongst the Collectors, is not attended to. I refer to the want of marginal notes on the Plaint, stating the truth or otherwise of *each fact* therein asserted. These, with the Collector's letter, would

put me in possession, in the first instance, of the exact extent to which the allegations of the Plaint in each case are admitted to be true, and of the mode in which it is proposed to meet them."

(True extract)
L. R. Reid,
Chief Secretary.

Circular.
No. 3670 of 1843.
Territorial Department—Revenue.

To ——————————.

Sir,—I am directed by the Honorable the Governor in Council to transmit to you the annexed extract (para. 10) of a communication from the Remembrancer of Legal Affairs, No. 61, dated the 19th ultimo, and to request that you will submit marginal explanations in the manner required by the Circular of the 17th August 1842, No. 2423, in all Suits instituted against Government and its Officers, where the statements in the Plaint are incorrect, or believed to be untrue.

I have, &c.,
L. R. Reid,
Chief Secretary to Government.

Bombay Castle,
14th November 1843.

Extract of a Letter from the Remembrancer of Legal Affairs, dated 19th October 1843, No. 61.

"Para. 10. I feel bound to point out to the Honorable the Governor in Council, that the practical utility of this Office depends entirely on the care and accuracy of the several Collectors, and on their furnishing, in each case, full and explicit information on the points which must come before the Court in the Suit."

SUITS.—Where Cases, under Section XLV. of Regulation XVII. of 1827, are submitted for the confirmation of Government, they are to be accompanied by the Collector's Proceedings in them.

Circular.
No. 23 of 1847.

To all the Collectors.

Sir,—Under instructions from Government, I have the honor to request that, when Cases, under Section XLV. of Regulation XVII. A. D. 1827, are submitted for the confirmation of Government, you will forward your Proceedings in the same.

I have, &c.,
W. Langford,
Acting Revenue Commissioner N. D.

Rev. Com's. Camp, Surat,
4th January 1847.

SUITS—In reporting upon —— filed against them, or in which Government may be in any way concerned, Collectors are not to send up Copies of the Translates of the Plaints, Decrees, &c., received by them from the Adawlut.

Circular.

No. 707 of 1843.

Territorial Department—Revenue.

To all COLLECTORS.

SIR,—I am directed by the Honorable the Governor in Council to acquaint you that, in reporting upon Suits filed against you, or in which Government may be in any manner concerned, you need not send up a copy of the translate of the Plaint received by you from the Adawlut, as that document is furnished to Government by the Judge, unless any marginal explanations should be required upon it in the manner directed in the Circular* No. 2423, dated the 7th August last.

I have, &c.,

Bombay Castle,
4th March 1843.

L. R. REID,
Chief Secretary.

Circular.

No. 949 of 1850.

Territorial Department—Revenue.

To all COLLECTORS.

SIR,—I have been directed by the Right Honorable the Governor in Council to forward you a copy of a letter, dated the 24th December last, No. 7573, to the Register of the Sudder Dewanee Adawlut, and of the Acting Register's reply of the 29th ultimo, and to inform you that, in cases in which Government is a party, you need not submit to it copies of Plaints, Decrees, &c., in the language of your Province, but that you are to keep copies of the English versions sent you by the Judge, and to forward the original to Government, after inserting in the margin the remarks and observations required by paras. 3 and 4 of the Government letter No. 965,† dated the 15th February 1848, and correcting or supplying, in red ink, whatever parts of the Judge's translations you may deem faulty or wanting.

2. His Lordship in Council has also desired me to inform you, that he is constrained to insist on your reporting on all original cases within fifteen days of your receiving the Plaint prescribed by the Government Circular No. 316, dated the 8th February 1828, and in all Appeal cases immediately, so that the instructions of Government may be received by you before the time prescribed by Regulations for answering a Plaint, or filing or answering an Appeal, has passed.

I have, &c.,

Bombay Castle,
5th February 1850.

H. E. GOLDSMID,
Secretary to Government.

* See page 902.

† See page 898.

No. 7573 of 1849.

Territorial Department—Revenue.

To M. LARKEN, Esq., Register to the Sudder Dewanee Adawlut.

SIR,—With a view to secure uniformity in the practice obtaining in the several Zillahs under this Presidency, in regard to Translations which are submitted to Government of Plaints, Petitions of Appeal, and Decrees, in cases of the Civil Court in which the Collectors are parties, and to lessen the number of documents which have to be recorded in this office, the Right Honorable the Governor in Council has instructed me to request that you will move the Judges of the Sudder Dewanee Adawlut to direct the Judges of their subordinate Courts,—

1*st.*—To forward, under cover to the Collector's, instead of direct to the Secretary's, Office, the copy and English version of the Plaint they are required, by Clause 2, Section V., Regulation IV. of 1827, to transmit to Government;—the latter document to have a blank margin half the width of the page, and the case to be entered by the Judge in the Monthly List of Unanswered References until its receipt is acknowledged by Government.

2*nd.*—To forward to Government, through the Collectors, with a margin of the width above mentioned, a copy of the English Record, which, under Section I. of Act XII. of 1843, has to be kept of Decrees of Cases tried in the First Instance, or in Appeals. The Government Wukeel will, of course, obtain, as at present, a copy of the Decree in the language of the Province.

3*rd.*—On a petition of Appeal against a decision favorable to Government being filed, to forward to Government, through the Collectors, the English Record,* which Section I. Act XII. of 1843 requires should be prepared of the points for decision. This document also should have a blank margin similar to the two preceding. The Government Wukeel will, of course, obtain, as at present, a copy of the Petition of Appeal in the language of the Province.

2. Should the Judges see any objection to any of the above orders, His Lordship in Council requests you will have the goodness to inform him of them.

3. On receipt of your reply, the instructions necessary to give effect to the above arrangements will be issued to the Collectors.

I have, &c.,

Bombay Castle,
24th December 1849.

H. E. GOLDSMID,
Secretary to Government.

See Circular No. 3464 of 1850, which follows.

No. 301 of 1850.

Territorial Department—Revenue.

To H. E. GOLDSMID, Esq., Secretary to Government.

SIR,—I am directed to acknowledge your letter No. 7573, dated 24th ultimo,

* See the letter from the Judges of the Sudder Adawlut, No. 1180 of 1850, at page 908.

Present.—A. Bell, J. Warden, and P. W. LeGeyt, Esqrs.

and to state, for the information of the Right Honorable the Governor in Council, that instructions on the points therein indicated, relative to the transmission of the Translations of Plaints, Petitions of Appeal, and Decrees, in Cases in which the Collectors are parties, have been issued to the Zillah Judges, as will be apparent from the accompanying copy of a Circular Order addressed to those Officers.

I have, &c.,
W. H. HARRISON,
Acting Register.

Bombay, Sudder Dewanee Adawlut,
29th January 1850.

No. 951 of 1850.

Territorial Department—Revenue.

Copies of the foregoing documents are forwarded to the Revenue Commissioner Northern Division, for information.

By order, &c.,
H. E. GOLDSMID,
Secretary to Government.

Bombay Castle,
5th February 1850.

Circular.

No. 3464 of 1850.

Territorial Department—Revenue.

To all the COLLECTORS.

SIR,—With reference to the Government Circular No. 949, dated the 5th February last, I have been directed by the Right Honorable the Governor in Council to transmit, for your information, a copy of the correspondence, as noted in the margin, which has passed between Government and the Judges of the Sudder Dewanee Adawlut, from which you will learn that the instructions contained in para. 3 of my letter No 7573,* dated 24th December last, to the address of the Register, have been cancelled by the Judges.

From the Register to the Sudder Dewanee Adawlut, No. 822, dated 15th March 1850.
Reply to No. 2511, dated 3rd instant.
From ditto, No. 1180, dated 19th instant.

* Precedes.

I have, &c.,
H. E. GOLDSMID,
Secretary to Government.

Bombay Castle,
23rd April 1850.

No. 822 of 1850.

Territorial Department—Revenue.

To H. E. GOLDSMID, Esq., Secretary to Government.

SIR,—I am directed by the Judges of the Sudder Dewanee Adawlut to request you will have the goodness to explain what Government intended to describe by the words "English Record of the points for decision" in the 3rd Clause

Present.—A. Bell, J. Warden, and P. W. LeGeyt, Esqrs.

of the instructions which the Right Honorable the Governor in Council desired might be issued to the Zillah Courts, in your letter No. 7573 of the 24th December last,* for the Judges consider that the words cannot refer to the Record of the Lower Court, for that would be sent under para. 2.

I have, &c.,
M. LARKEN,
Register.

Bombay, Sudder Dewanee Adawlut,
15th March 1850.

No. 2511 of 1850.

Territorial Department—Revenue.

To M. LARKEN, Esq., Register to the Sudder Dewanee Adawlut.

SIR,—I have been directed by the Right Honorable the Governor in Council, in reply to your letter No. 822, dated the 15th ultimo, to state that Clause 3 of the instructions contained in my letter of the 24th December last, No. 7573, was written under the impression that, on receipt of a Petition of Appeal, the particular points on which the Appeal was made were written down in English by the Court. If this is not the case, and if the English Record is not commenced until the cause comes on for hearing, the 3rd Clause must be cancelled; and, on receipt of the Judges' reply that it has been, the Collectors will be directed to send to Government translations of the Petitions of Appeal obtained, in the usual manner, through the Government Wukeel.

I have, &c.,
H. E. GOLDSMID,
Secretary to Government.

Bombay Castle,
3rd April 1850.

No. 1180 of 1850.

Territorial Department—Revenue.

To H. E. GOLDSMID, Esq., Secretary to Government.

SIR,—In acknowledging the receipt of your letter No. 2511, dated the 3rd instant, I am directed to acquaint you, that the Judges of the Sudder Dewanee Adawlut have cancelled the instructions conveyed in Clause 3 of your letter of the 24th December last, No. 7573, which were issued for the guidance of the Zillah Judges, under date the 29th January last, No. 299; and the Zillah Judges have been informed that the Collectors will be instructed by Government to furnish the Honorable Board with translations of the Petitions of Appeal obtained, in the usual manner, through the Government Wukeel.

Present.—A. Bell, J. Warden, and G. Grant, Esqrs.

I have, &c.,
M. LARKEN,
Register.

Bombay, Sudder Dewanee Adawlut,
19th April 1850.

* See page 906.

SUITS—In reporting on —— in which Government is a party, and in which an Appeal may be made, the exact date beyond which the presentation of the Petition of Appeal must not be delayed, to be mentioned.

Circular.

No. 890 of 1845.

Territorial Department—Revenue.

To all the COLLECTORS.

SIR,—The Honorable the Governor in Council instructs me to direct, that whenever you report to Government on any Suit in which Government is a party, in which an Appeal may be made, you will mention the exact date beyond which the presentation of the Petition of Appeal must not be delayed.

2. This point should be noticed prominently in your letter.

I have, &c.,

E. H. TOWNSEND,
Secretary to Government.

Bombay Castle,
21st February 1845.

SUITS—Collectors to furnish Quarterly Returns of all —— pending in their charges, in which Government may be a party.

Circular.

No 3529 of 1843.

Territorial Department—Revenue.

To ——————.

SIR,—The Honorable the Governor in Council desires me to request, that you will submit, for the information of Government, on the first of each month,* a Return showing the Suits, in which Government is a party, which may be pending in any Court of Law within your range; the state in which each case stands, and the reasons which may have occasioned delay in the decision.

* See later Circular No. 5072 of 1849, following these Orders.

2. A form of the required Return is herewith forwarded for your guidance.

3. This Return is to be independent of the special report on every case decided, required by the Circular Order from this Department, No. 3128, dated the 23rd ultimo.†

I have, &c.,

L. R. REID,
Chief Secretary.

Bombay Castle,
27th October 1843.

† See at page 900.

FORM.

RETURN *of Suits, in which Government is a party, pending in the Collectorate of* ——, *on the* 1*st of* —— 18 —, *showing the Progress of each Suit, and the causes which may have occasioned delay in their Decision.*

Number.	Description of Suits.			Court in which the Suit is pending.	Whether an original Suit or in Appeal.	Date on which the Suit was Filed.	Date of Sanction of Government for defending or instituting the Suit.	Progress of the Suit and Causes of Delay in its Decision.
	No. on File.	Names of the Parties.	Nature of the Suit.					
1	342	Bhowjee Lukshmun Dulvee, *versus* Collector of ——.	In order to recover ten Beeghas of land in the Village of ——, Talooka ——, resumed by the Collector under Section —— Regulation XVII. of 1827.	The Judge's Court at ——.	In Appeal from the Assistant Judge at ——.	10th November 1842.	5th December 1842.	This case was originally tried before the Moonsiff of ——, on the Suit of the Appellant, who passed a Decree in favor of the present Respondent. It was then appealed to the Assistant Judge at ——, who confirmed the Decree of the Moonsiff. The present Appeal came on for trial on the 15th of May 1843. It was heard on that day, and again on the 20th of the same month, and on the 12th June, when a Commission was appointed under Chapter VIII. for the examination of the land in dispute, and the Case has been adjourned until the report of the Commission is received.
2	87	Shekh Meea Purkae, *versus* Mamlutdar of Talooka ——.	In order to recover certain Property attached by the Defendant on account of Arrears of Land Revenue.	The Moonsiff's Court at ——	Original Suit.	20th November 1843.	10th December 1843.	This case was entered for trial on the —— of ——, when it came on, and has been adjourned in consequence of the absence of material witnesses.

L. R. REID,
Chief Secretary.

Circular.

No. 5072 of 1849.

Territorial Department—Revenue.

To ——————————.

Sir,—I have been directed by the Right Honorable the Governor in Council to request that you will, in future, submit to Government Quarterly, instead of Monthly, the Return of Suits called for in the Government Circular of the 27th October 1843, No. 3529.

I have, &c.,

Bombay Castle,
16th August 1849.

A. Malet,
Chief Secretary to Government.

SUITS—Orders regarding the particular Records that are open to Inspection when cited as Proof in —— against Government or its Officers; and the furnishing of Copies of Correspondence to Parties engaged in such Suits.

Circular.

No. 565 of 1846.

Territorial Department—Revenue.

To D. A. Blane, Esq., Revenue Commissioner S. D.

Sir,—I am directed by the Honorable the Governor in Council to transmit to you, for information and future guidance, the accompanying copy of a letter from Mr. Howard, Remembrancer of Legal Affairs, No. 7, dated the 22nd ultimo, containing that Officer's opinion as to what documents of the Government Records are open to the inspection of the Civil Courts when Plaintiffs cite them in proof of their Plaint against Government or its Officers.

I have, &c.,

Bombay Castle,
3rd February 1846.

E. H. Townsend,
Secretary to Government.

N.B.—See the Government Letter No. 6400 of 1850, and Circular No. 2585 of 1852, which follow.

No. 7 of 1846.

Territorial Department—Revenue.

To E. H. Townsend, Esq., Secretary to Government.

Sir,—I have had the honor to receive your letter, dated the 27th ultimo, No. 5987 of 1845, with its enclosures.

2. The production, or withholding, of the documents in question, is a matter, as the Assistant Judge admits, entirely within the power of a Collector, there being no Regulation under which Mr. Ravenscroft can be compelled to produce them if he be unwilling to do so.

3. It is desirable, therefore, to consider the principles by which the Collector should guide himself in complying with, or refusing, this and similar requisitions.

4. It is remarkable in the correspondence between the Assistant Judge and the Collector, that no reference is made to the peculiar nature of the documents which the Plaintiff desires to have produced. The Judge treats the moral right of the latter to be co-extensive with his demand, and the obligation of a liberal Government to be correspondent.

5. Nothing can be more clear, on the most superficial view of the matter, than that a man, by merely filing a Plaint against the Collector, cannot be entitled to see any public document of which he chooses to request an inspection on the grounds that its production is necessary for the proof of his case.

6. If the contrary were admitted as a general principle, it would follow that the whole records of Government would be available to the Suitors of the Court, and a party through the medium of litigation having one aspect, might fish out and gather together the materials for maintaining a claim of altogether a different character against the Authorities.

7. Nor, again, with respect to documents that are undoubtedly connected with the subject matter of the Suit, is the moral right of a Plaintiff to their production by Government by any means unlimited.

8. It could never be maintained for one moment, that communications between Government and its Officers, or between those Officers themselves, respecting the claims of a private individual, should be made available for his benefit in the Adawlut whenever he chooses to sue Government in regard to them.

9. Were it so, the free and unreserved discussion necessary for the maintenance of the Public Service could not go on.

10. In the operation of such a rule, moreover, there could be no reciprocity. Government necessarily conducts all its business on paper, and the opinions of all its servants are in writing. A private individual mainly conducts his business orally. He has little or no correspondence with his servants, and he destroys his records at pleasure. The production, therefore, would be all on one side.

11. It appears to me then, that on no occasion should the Collector agree to produce, in litigation between private individuals and Government, Letters, Reports, or Memoranda, which have been intended for the exclusive use and guidance of Government and its servants. These clearly it is not within the right of any other individuals to inspect.

12. On the other hand, the correspondence of Government and its servants, *with* a private individual, if on the records of Government, should always be produced at the instance of the former in Suits between him and Government. This includes all endorsements on petitions in the nature of replies, and intended expressly for the knowledge and information of the petitioner.

13. A third class of documents on the records of Government, which, if asked for either in Suits between private individuals, or in Suits by private individuals against Government, should not be refused, are those which, though compiled for the use of Government, are nevertheless resorted to as the common evidence of the private rights of the District, or of the mutual and relative rights of Government and individuals, such as Registers, Survey Maps, &c. These resemble the Books of a Corporation, the Rolls of a Manor, the Custom-house Books, which are open to the inspection of those interested.

14. With respect to the documents referred to in Mr. Keay's memorandum to the Collector, there are two, which, on the principle above mentioned, Mr. Ravenscroft should decline to produce. These are a letter addressed by the Broach Collector to the Civil Auditor, and his reply to the Broach Collector.

15. Now, the Plaintiff has no more moral right to see these documents, than Government would have to see a correspondence between the Plaintiff's Methás.

16. Some of the other documents, however, are of a different nature, and not simply official.

17. The first is a petition by the Plaintiff, Ubeesing Umersing, of the 8th August 1844, with the Collector's reply endorsed on it.

18. Now, there can be no reason why a Plaintiff should not be allowed to have the benefit of his own petition with the reply it elicited, if they can be of any benefit to him in the Suit. How such a petition and reply, if all one document, should be with the Collector, is not very apparent, but the reply is positively the Plaintiff's *own document.* At the same time, if there is any reference on this petition to a Mamlutdar or other Officer, and any report written by him on the petition,—these being matters entirely between the Government Officers,—the Collector should seal a paper over for the purpose of preserving the principle before producing the petition and reply.

19. In the Court of Chancery, when a defendant is compelled to produce an Account-book, he is entitled to seal up all such parts as do not relate to the immediate subject matter in dispute.

20. Two other documents referred to in Mr. Keay's memorandum are thus described,—

> An order or letter from Government, dated 17th May 1845, No. 2277, relating to the Plaintiff.

21. Another order of the same kind, but of a different date.

22. Mr. Ravenscroft of course knows what these orders are: if they are orders written expressly for the Plaintiff's information, and intended to be conveyed to him as the decision of Government on certain points, of course they should be produced. If, on the other hand, they are orders intended merely for the direction of the Collector or other servants, the Plaintiff has, of course, no right to see them, though they do "relate to him."

23. The last is a "Khàthà-Wuhee," or Ledger, of "Tora Geeras" for certain years, which a Geerasia probably looks to as evidence common to himself and Government, and as a document framed and kept for their mutual benefit. If I am right in this supposition, it should, of course, be produced.

24. I have gone on, at this length, into the subject of your letter, because the Adawlut seems to consider the Collector under a moral obligation to produce any documents from the records of his office, which a Suitor is pleased to call "his proofs," and because it is desirable that the Revenue Authorities should be furnished with some intelligible principle by which to guide themselves, for the future, in the production, or withholding, of their Dufturs.

I have, &c.,
W. HOWARD,
Remembrancer of Legal Affairs.

Bombay,
22nd January 1846.

No. 6400 of 1850.

Territorial Department—Revenue.

To E. H. TOWNSEND, Esq., Revenue Commissioner S. D.

SIR,—I have been directed by the Right Honorable the Governor in Council, to acknowledge the receipt of your Memo. No. 3403, dated 3rd instant, submitting a report and subsequent endorsement from the Collector of Rutnageeree, relative to the Petition of Shewram Raojee, of Mouje "Poonus," Turf Pawus, of the Rutnageeree Talooka.

2. His Lordship in Council concurs in the opinions expressed by Mr. Coles, excepting that he directs, as a general rule, that the Heads of Departments should not furnish parties with copies of correspondence which passes between them (the Heads of Departments) and their subordinates.

3. As regards the particular case under notice, I have been instructed to observe, that it is for the Collector to determine which of the papers applied for he need furnish, and for the Petitioner, if he desires others, to apply to the Civil Court, to take measures for having them produced, which, of course, on due cause being shown, can be done by application, in due form, to the Collector, who would not, His Lordship in Council is of opinion, be justified in objecting to comply with the application if it related merely to the depositions of parties or "Kuboolayets" in cases which had been settled by himself or subordinates, unless in any particular case there might be special reasons for objecting, which should be made known to the Court.

I have, &c.,
A. MALET,
Chief Secretary to Government.

Bombay Castle,
29th August 1850.

Report addressed to the Revenue Commissioner S. D. by the Collector of Rutnageeree, on the Petition disposed of in the foregoing Government Letter.

No. 1001 of 1850.

The Collector does not consider that Government, in the 5th para. of their letter* alluded to by the Revenue Commissioner, referred to the copies of such documents as the Petitioner now requires, but to official correspondence that had been carried on between the Collector or Magistrate, with the higher Authorities, and not that which passed between the Collector and his subordinates on matters of dispute between individuals. There is nothing in the papers applied for that the Collector considers inexpedient, on Government account, to communicate to the Petitioner; but the Collector does not think it right that the petitions and depositions given by the Ryuts in Revenue investigations should be open to their opponents without their consent, whenever they think proper to resort to the Civil Court. The costs of the Court are already sufficiently heavy, without burthening the losing party with those requisite for obtaining copies of documents which, for the most part, are valueless, unless the Civil Courts consider statements made in petitions and depositions (not on solemn affirmation) good evidence. The time of the office is also taken up in searching for such documents, and numerous Oomèdwars are obliged to be admitted into the office whose services could otherwise be dispensed with. The Collector could never refuse to give copies of such documents as are considered public property, such as "Pàhànee Kurdàs," "Extracts from Village Accounts," &c. &c., or of depositions, when it is shown that the Witness is dead, or that his attendance could not be procured.

* No. 2590, of 31st October 1835.

Rutnageeree, Col.'s Office,
6th July 1850.

G. Coles,
Collector.

Circular.

No. 2585 of 1852.

Territorial Department—Revenue.

With reference to the Government Circular No. 565, dated the 3rd February 1846, the following copies of the documents, noted in the margin, are fowarded for the guidance of the Revenue Commissioner Southern Division.

Madras Circular of 10th June 1824.
Letter from the Remembrancer for Legal Affairs, No. 25, dated 4th March 1852.
Resolution of Government.

By order of the Right Honorable the Governor in Council,

H. E. Goldsmid,
Secretary to Government.

Bombay Castle,
14th April 1852.

SUDDER ADAWLUT to GOVERNMENT ; 10th June 1824.

1. I am directed by the Judges of the Sudder Adawlut to acknowledge the receipt of a letter (No. 225) from the Secretary to Government in the Judicial Department, dated 21st ultimo, referring, for their consideration and report, a copy of a letter from the Judge, in the Zillah of Chicacole, with copies of its enclosures, and desiring that the Judges will report how far, and under what provisions of the Regulations, Collectors and other Public Officers are compellable to produce the records of their Offices in evidence before the several Courts, and by what means it is competent to such Officers to guard against the hazard or injury to the public interests by which, on some occasions, the disclosure of Public Records might be attended, and that they will point out the provisions of the Regulations by which Public Officers may be liable to penalties for withholding evidence which the Courts may have called upon them to produce.

Vide Circular Order 18th July 1836.

2. In respect to the power of the Civil Courts to compel the production of documentary evidence in general, the Judges direct me to observe, that compulsory process to oblige a third person to produce any writing in his possession, which may be necessary for the trial of a cause, is essential to the constitution of Courts of Justice, and the Judges are of opinion that the provisions of Section VII., Regulation XI. of 1802, are applicable to any cases of omission, or refusal to obey a Summons requiring such individual to appear, and to bring with him documents in his possession required by the Court.

3. The general rule of Law on this subject holds good, as well with respect to papers in the custody of a Public Officer, as to papers in the hands of a private person; and the Judges of the Sudder Adawlut are of opinion, that all risk of injury to the public interests from the exercise of this power by the Courts, would be obviated, by the observance of the mode of proceeding which they find to have been sanctioned by the Sudder Court, on a motion made at the instance of the Board of Revenue, under date 12th December 1820, in the Provincial Court for the Northern Division, arising out of an order from that Court, requiring the Collector of Rajahmundry "to furnish an authenticated copy of an extract from the original letter of 15th September 1810, from the Board of Revenue" to the Plaintiff in a Suit before the Provincial Court.

4. Upon this occasion, the Board of Revenue questioned the right of the Court "to direct a Public Officer to furnish copy of any paper to any person, although a party in a Suit before them," and proceeded to offer the following observations and suggestions, in the correctness and propriety of which the Judges entirely concur :—

> "'The information of witnesses is for the Court, not for the Suitors. It is competent to a Court of Justice to call for all the evidence requisite for the due investigation of the cases before them;' but the Board apprehended that

the correct mode of obtaining the production of papers in the custody of a Public Officer is to summon that Officer to bring, or send by some proper person, the documents required.

" 'This course,' the Board observed, 'would produce no public inconvenience; because, if the paper required was one of no particular moment, one of the Collector's Native establishment would proceed with it, and produce it; but if the paper, which a party had requested the Court to call for, was such an one as ought not properly to be produced, or such an one as did not bear on the case, or on any other grounds should not be put upon the records, the Collector would be able, either in person, or by his Assistant, or Native Officer, to state his objection to the Court, and the Court, by inspection of the document, if necessary, or on consideration of the Collector's objections, would determine whether the paper in question should be admitted or rejected, and improper disclosures would then be prevented.' "

5. The Judges of the Sudder Adawlut observe that the instructions of the Court for the observance of the mode of proceeding above suggested were communicated only to the Provincial Court for the Northern Division. The Judges propose to circulate them for the information and guidance of the Courts generally;* and would recommend their being communicated to the several Collectors of Revenue and other Officers amenable to the jurisdiction of the Civil Courts.

6. From the papers accompanying the foregoing letter from the Secretary to Government in the Judicial Department, it appears that the Judge in the Zillah of Chicacole, required the Collector of Vizágápátám to furnish, on application of the Plaintiff in a Suit brought by him against the Collector, copies on Stamped paper of certain documents in the records of the Collector's office.

7. This order the Judges of the Sudder Adawlut do not consider to have been regular, and as a compliance therewith was not obligatory upon the Collector, his refusal cannot subject him to a penalty.

8. The Zillah Judge would appear to have erroneously considered that the authority of the Court to require the production of documents in the custody of a Collector is limited to the personal Suits referred to in Regulation XXVII. of 1802,—the power of the Courts to obtain the production of such documents, extends, in the opinion of the Judges, to all cases wherein they may be requisite for the determination of the cause; and, as above intimated, the process in such cases must be enforced in the same manner as in the cases of witnesses summoned to attend the Courts.

No. 25 of 1852.

Territorial Department—Revenue.

To H. E. Goldsmid, Esq., Secretary to Government, Bombay.

Sir,—I have had the honor to receive your letter, dated the 3rd December last, No. 11360 of 1851, with its enclosure.

* Vide Circular Order S. U., 17th June 1824.

2. I do not quite understand what you refer to in your 2nd para. as the course suggested by me as contradistinguished to the course indicated by the Madras Sudder Adawlut.

3. In my letter to Mr. Secretary Townsend, dated 22nd January, No. 7 of 1846,* I entered into the consideration of the principles by which the Collectors should guide themselves in consenting, or not, to produce their records in Courts of Justice in Suits by, or against, Government.

4. The Madras Circular relates to the production of official documents when Government stands in the position of a third party, which was the description of case referred by the Collector of Khandesh the other day.

5. In such a case, no doubt, the Collector should be summoned, like any other witness, to attend, with the document in question; and if he declines to produce it, he would, of course, either attend in person, or by his Assistant, and state his objection in Court.

6. I do not, however, agree in the proposition so broadly laid down by the Madras Sudder Adawlut with respect to papers in the custody of a Public Officer; for although, as a general rule, the Records of Government should be produced in the Adawlut when they throw light on a matter in dispute between private individuals, and if no public interests interfere with the disclosure, yet, it is for Government in each case, and not for a young Assistant Judge or a Moonsiff, to decide what the public interests require: and whatever may be the law at Madras, there certainly is no Regulation in the Bombay Code under which public servants can be compelled to produce the Records of Government.

7. In Suits to which Government is a party, I think the production, or withholding, of documents required, should be regulated by the principles stated in my letter above referred to. I have herewith returned the book.

Bombay Castle,
4th March 1852.

W. Howard,
Remembrancer for Legal Affairs.

Resolution.—In para. 2 of a letter, dated 3rd December 1851, Government referred to the course indicated in para. 3 of Mr. Howard's letter of 27th November, No. 57, as prescribing a different course to that enjoined in the Madras Circular, not to his letter of 22nd January 1846, No. 7.

2. All documents, such as are referred to in para. 13 of Mr. Howard's letter of 22nd January 1846, should be produced, whether Government be a party in the case under trial in the Adawlut or not.

3. As regards the production of other documents, in cases in which Government are not a party, the Collector should understand it is the anxious desire of Government to further the ends of justice; and when it is quite clear to him that the public interests will in no way suffer by the production of any document called for by the Civil Court, he may produce it; but, otherwise, he should inform the Judge of his objection.

See page 911.

4. Government do not anticipate that the Judge and Collector will be at issue, as both the authorities will see that their objects are the same, namely the attainment of justice and preservation of public interests.

5. If, however, they differ in opinion, the question must be referred by the Collector to Government for further instructions.

6. Government fully concur in the opinions expressed in Mr. Howard's letter of 22nd January 1846, No. 7, relative to the production of documents in cases in which Government are a party: in such cases the Collectors should be guided by these opinions, and, in other cases, the Collectors should bear in mind the probability of persons combining to obtain particular documents hereafter to be used for other purposes,—telling against the public interests by taking fictitious Suits into Court.

7. Copy of Mr. Howard's letter of 22nd January 1846, No. 7, of Madras Circular of 10th June 1824, of Mr. Howard's letter of 4th March 1852, No. 25, and present Resolution, to be circulated for the guidance of the several Collectors and Revenue Commissioners.

SUITS—Whenever Copies of Documents are furnished from the Government Records to parties engaged in Civil ——, the copying of the same to be paid for by the Applicants. *See Government Notifications of* 31*st September* 1843, *and* 8*th April* 1844, *under* "Records."

SUITS—Occupants of Land put into possession by Revenue Courts under Act XVI. of 1838, can only be Ejected by a Decree of a Court of Adawlut. The Revenue Commissioners cannot interfere with the decisions of Revenue Courts, &c.

Extract, being para. 1 *of a Letter from Government to the Revenue Commissioner S. D., No.* 6952, *dated the* 23*rd December* 1851.

"Para. 1. In reply to your predecessor's letter in the Revenue Department, No. 3694, dated the 6th ultimo, I am directed to inform you, that His Lordship in Council is of opinion that the view of the Law taken by the Collector of Rutnageeree, in the concluding para. of his letter of the 26th of August last, to the address of your predecessor, is the correct one; and, in accordance with the words of Act No. XVI. of 1838, Section I. Clause 2nd, 'the party to whom the Revenue Courts shall so give immediate possession, shall continue in possession, until ejected by a Decree of a Court of Adawlut."*

* See the Revenue Commissioner's Letter No. 2 of 1852, &c., which follow.

Extract, being para. 5 *of a Letter from the Collector of Rutnageeree to the Revenue Commissioner S. D., dated* 26*th August* 1851, *No.* 1366.

"Para. 5. The immediate possession contemplated by Act XVI. of 1838 appears to me to authorise the Collector, as a Revenue Court, to interfere summarily where the actual possessor is deprived by another of the right of collecting his rents (the

profits of lands) which have been enjoyed by him either through original proprietorship, sale, mortgage, or otherwise."

No. 2 of 1852.

From the Revenue Commissioner S. D.,

To the Secretary to Government, Judicial Department, Bombay.

Sir,—In your letter No. 6952, of 23rd ultimo, I was informed that His Lordship in Council is of opinion that the view of the Law taken by Mr. Coles, the Collector of Rutnageeree, in the concluding para. of his letter of the 26th August last, as to the immediate possession contemplated by Act XVI. of 1838, is the correct one, and in accordance with the words of the Act, Section I. Clause 2nd. By this decision, the chief question under discussion between my predecessor Mr. Townsend and Mr. Coles is set at rest: and the forms and mode of proceeding contended for by the former to be requisite to enable a Revenue Court to decide whom to put in possession, are declared to be unnecessary.

2. There was, however, another point raised in the course of the correspondence between those Officers, and not noticed in your letter, on which, I trust, I may be pardoned for respectfully soliciting the decision of the Right Honorable the Governor in Council, as it is a question of constant occurrence, and more particularly as far as the Rutnageeree Collectorate is concerned.

3. The point I refer to, is whether, after the Collector in his capacity of a Court of Revenue in his District, has, in accordance with the provisions of the Act, summarily given immediate possession, an Appeal from his decision can be made to this Department; and whether the Revenue Commissioner has any power to interfere again to deprive such party of possession, after such Revenue Court in the Collectorate shall have given him immediate possession.

4. You will observe from the 3rd para. of Mr. Townsend's letter to the Collector of Rutnageeree, No. 634, of 30th January last, that he informed him, "there is, by Regulation, no Appeal to the Revenue Commissioner against your decisions under Act XVI. of 1838"; and from the 4th para. of Mr. Coles' reply, No. 163, of 5th February following, that though he admitted there was room for doubt, he was of a contrary opinion.

Copies of these letters accompanied Mr. Fawcett's letter No. 3964, of 6th November last, to the address of the Secretary to Government in the Revenue Department.

5. The opinion expressed by Mr. Townsend on this point would appear, as far as I can gather, to have been concurred in by my predecessor Mr. Fawcett; and in the Northern Division I am informed that Appeals against decisions passed by the Collectors under Act XVI. of 1838, are uniformly rejected by the Revenue Commissioner as not being cognisable by his Department in this Office. However, no fixed or unvarying system would seem, notwithstanding the opinions held by my predecessors,

Vide concluding para. of his letter above referred to.

to have been followed; and as petitions are very frequently presented, I should be glad to be favored with the orders of His Lordship in Council as to whether they should be entertained, or the parties be at once informed that this Department has no jurisdiction in such cases.

6. My own view of the Law on this part of the question is entirely in accordance with that taken by Mr. Townsend; not only, as observed by him, is no Appeal to the Revenue Commissioner provided for, but the words of the Act are most explicit; "the party to whom the Revenue Commissioner shall give immediate possession, *shall continue in possession until ejected by a Decree of a Court of Adawlut;*" and that the term "Revenue Court," or "Courts of Revenue," does not include the Revenue Commissioner, as contended for by Mr. Coles, appears to me to be most evident from the wording of the Act itself. The first Clause provides that certain Suits shall, in future, be brought in the Courts of Adawlut and not in the Courts of Revenue; but the Revenue Commissioner has not, and never had, any jurisdiction in any Suits whatever. Clause 3rd reserves to the Revenue Courts the jurisdiction defined in Clauses 3, 4, and 5, Section XXXI. Regulation XVII. of 1827; but in the Regulation referred to, such jurisdiction is expressly termed the "Civil jurisdiction of the Collector." Section II. provides for cases in which any question may arise as to jurisdiction between the Courts of Adawlut and the Courts of Revenue; and here those Courts are styled in express terms, "the Court of a Judge or *Collector*," from all of which it seems to me clear, that the Revenue Commissioner can claim no right of interference with the decision passed by the Collectors in such cases, and that any orders issued by him are illegal, and cannot, where they disturb what has been already done by the Collector, be enforced.

Clause 2nd.

I have, &c.,
W. COURTNEY,
Revenue Commissioner S. D.

Rev. Com.'s Camp, Belgaum,
1st January 1852.

No. 938 of 1852.
Judicial Department.
To the REVENUE COMMISSIONER S. D.

SIR,—In reply to your letter No. 2, dated the 1st ultimo, I am directed to inform you, that His Lordship in Council concurs in the view taken by you on the question of the power of the Revenue Commissioner to interfere with a decision passed by a Collector under Act XVI. of 1838.

I have, &c.,
J. G. LUMSDEN,
Secretary to Government.

Bombay Castle,
20th February 1852.

SUITS.—Collectors to take special care that the Rights of Government are not compromised when Villages or Lands are sold under a Decree from the Court of Adawlut.

No. 2664 of 1848.

Territorial Department—Revenue.

To D. A. BLANE, Esq., Revenue Commissioner N. D.

SIR,—With reference to your letter of the 10th March last, No. 427, relative to the adoption of measures to prevent the Rights of Government being compromised when Villages or Lands are sold under a Decree of the Court of Adawlut, I have been directed by the Right Honorable the Governor in Council to forward to you a copy of a letter containing the opinion of the Remembrancer of Legal Affairs on the subject.

No. 34, dated 17th April 1848.

I have, &c.,

H. E. GOLDSMID,
Secretary to Government.

Bombay Castle,
12th May 1848.

No. 34 of 1848.

Territorial Department—Revenue.

To C. J. ERSKINE, Esq., Deputy Secretary to Government.

SIR,—I have had the honor to receive your letter, dated the 28th ultimo, No. 1779 of 1848, with its enclosures.

2. I may observe, before answering the particular question raised by Mr. Blane, that I do not think the proceedings which have taken place, can be regarded as any adjudication that the Village of Mankole is held in Inam, and not as a Jagheer resumable at pleasure. The Decree of the Zillah Judge, so far as it affected to decide this, was clearly Extra Judicial, and it was reversed on Appeal.

3. If, however, the Collector had proceeded to resume the Village with the regularity which was afterwards pointed out, a new Suit would undoubtedly have arisen, which, it is highly probable, would have terminated in a decision that the Village in the hands of the present occupants must be regarded as an Inam.

4. Such a decision, however, would have proceeded on the ground, not simply that the Village had been sold by the Adawlut as an Inam Village, but that the Government Officers had the fullest intimation that it was about to be sold as such, and has stood by and acquiesced in the sale, and had by their silence disarmed all doubt and suspicion, and had thereby led the present Holders to pay a sum of money for the Village as an Inam, which they never would have given for a mere Jagheer resumable at pleasure,—it being a clear rule of justice, that those who, by their assertions or their silence—it matters not which—induce the belief of a state of things now existent, and thereby lead others in that belief to alter their positions, cannot afterwards be allowed to injure this position by setting up an inconsistent state of things in their own favor.

5. I have said that I think it probable that had the Collector proceeded *de novo* to resume the Village, the above would have been the result of a Suit to try the validity of its resumption; but this result could only have been arrived at by the Court satisfying itself that the Revenue Authorities had been guilty, as regards persons who were attending the auction, of great neglect.

6. Now, I do not know what precautionary measures can be adopted to prevent the rights of Government being compromised by the ignorance or neglect of its Officers. Had the Collector, in the present instance, known that the Village was in Jagheer, his course would have been simple enough. He would probably have intimated to the Court and to the Officer superintending the sale, that the Village was improperly described as an Inam, and was a Jagheer; and that if the other was not corrected, he should feel it his duty to advise Government to resume it at once. He would probably also have sent some person to the sale, to announce his determination to those attending there to buy.

7. But in the present instance, the Village really was not known to be a Jagheer. Service had not been demanded for a very long course of years. It was very doubtful if it could have been shown that service had ever been demanded or given. The Village had frequently been described as an Inam Village, and nothing having occurred in modern days to suggest the contrary, it is not to be wondered at that the most vigilant Government Officers were quite unconscious that any Government rights were being compromised by the sale.

8. It is quite clear that no precautionary measures could have prevented this, or can prevent similar results happening in similar cases hereafter.

9. All that Government can do, I conceive, is to intimate to its Revenue Servants that it is their duty to take special care that no rights of Government are compromised by Sales of the Adawlut for the want of due information of those rights to the Adawlut Officers and parties attending the sale; and that in every case in which a Government interest is lost by the omission of those whose duty it is to bring the existence of that interest to the knowledge of the Adawlut Officers and the parties attending the sale, Government will hold those Revenue servants responsible, unless they can clear themselves from the imputations of negligence to the satisfaction of His Honor in Council.

10. No one general mode of protest applicable to all Sales, and to be made in all cases, could be framed; as in each case, the Government right (whatever it is) to be protected, must be pointed out.

11. To throw a cloud, generally, over a sale by a public intimation, that there is possibly some latent interest of Government in the land, would be to involve Government in Suits for damages, by parties whose property had thus needlessly been disparaged.

I have, &c.,
W. Howard,
Remembrancer for Legal Affairs.

Bombay,
17th April 1848.

No. 3079 of 1849.

Territorial Department—Revenue.

To A. N. Shaw, Esq., Revenue Commissioner N. D.

Sir,—With reference to your letter No. 344, dated 20th February last, I have been directed by the Right Honorable the Governor in Council to transmit, for your further report and opinion, copy of one from the Remembrancer of Legal Affairs, No. 28, dated the 2nd instant, containing his opinion on the means which should be adopted for protecting the interests of Government in Land attached and sold under Decrees of the Adawlut.

I have, &c.,
W. Courtney,
Acting Secretary to Government.

Bombay Castle,
9th May 1849.

No. 28 of 1849.

Territorial Department—Revenue.

To W. Courtney, Esq., Acting Secretary to Government.

Sir,—I have had the honor to receive your letter, dated the 5th March, No. 1606 of 1849, with enclosures.

2. The subject discussed in this correspondence is, whether some system can be adopted for protecting the interests of Government in Land attached and sold under Decrees of the Adawlut.

3. In my former report, dated the 17th April 1848, No. 34, para. 9, I expressed an opinion, that Government could do no more than intimate to its Revenue Servants, that it is their duty to take especial care that no rights of Government are compromised by Sales in the Adawlut for the want of due intimation of those rights to the Adawlut Officers, and parties attending the sale; and that in each instance in which a Government interest was lost by the omission of those whose duty it was to bring the existence of that interest to the knowledge of the Adawlut Officers and parties attending a sale, Government would hold those Revenue Servants responsible, unless they could clear themselves from the imputation of neglect.

4. I still think that the above principle should be laid down as a general rule, considering the extreme importance and value in some instances of the interests that are at stake. The correspondence that you have sent to me with your letter under reply, contains some excellent suggestions, from which it is plain that something more systematic may be done towards protecting the interests of Government.

5. What really is wanted to produce practical good is the adoption of some plan by which an *active* duty is imposed on the Collector in each particular case. The Revenue Servants have, of course, ample notice of all sales by the Adawlut.

A public proclamation is made at least fifteen days prior to an intended sale. It is fixed up "at the place where the property is situated, also at the most public part of the Town or Village, and also in such other places as the order of the Court may direct."

6. If the issue of such a proclamation were now to be made an occasion on which, in the due course of official duty, an inquiry were to be made, and a report given by the Revenue Officers, either to the Judge or some other authority, as to the tenure of the land, and the interest, if any, which Government had therein, no case could very well occur in which the interests of Government would be prejudiced, except through gross negligence.

7. It seems that in the Sholapoor Zillah, a practice has sprung up in the Adawlut of submitting to the Collector all Decrees, involving the possession of land or of its produce, before they are carried into execution. This is a very good practice, but the Judge may discontinue it at pleasure; and as no positive duty, consequent on the receipt of a Decree, is imposed on the Collector of reading and reporting on it in regard to its operation on the interests of Government, it may of course be laid aside, or made to give place to other things that are pressing on the Collector.

8. The infinity of sales that take place in the Adawlut, and the very trifling interests involved in the greater number of them, would seem to render it both unnecessary and impracticable for an inquiry to be made by the Collector in every case; but if a certain value were taken as a minimum, and if his duty were to make inquiry into the nature of the title to all land or its produce sold above that value, the practice, I should think, would prevent a recurrence of what occurred with respect to the village of Mankole.

9. Upon the whole, after considering the several suggestions contained in the letters of which you have forwarded me copies, the following has occurred to me as probably a good arrangement, but there may be practical difficulties or objections in the way of carrying it out, either wholly or in part, which my want of familiarity with the routine of a Collector's Kutcherry has not suggested to me.

10. That Government should request the Judges of the Sudder Adawlut to issue a Circular Order to the Zillah Courts, directing them, on every occasion of a sale of Land or its produce, under the provisions of Section LXVI. of Regulation IV. of 1827, to forward a copy of the proclamation to the Collector direct, and another to the Mamlutdar of the District.

11. The Government should issue a Circular Order to the several Collectors, directing them, as a part of their duty, to take notice of all intended sales of Land or its produce by the Adawlut; and, on every proclamation of an intended sale being made, where the value of the property sold exceeds the sum of Rs. ——, to report to the Revenue Commissioner whether Government has any, and what interest in such property, taking care at the same time, whenever the inquiry results in

suggesting the existence of any such interest, to intimate the same to the Court before the sale, as required in Section LXVII. Clause I. of the above cited Regulation.

12. I have suggested that the Collector shall make a report in cases above a certain amount, and his immediate superior, the Revenue Commissioner, would seem to be the proper authority to whom it should be made. To report that Government have no interest in property about to be sold, may appear an idle form. But that is the only mode of ensuring, in *all such cases*, inquiry; and if a latent Government interest should afterwards be discovered, the report that Government had no interest in the property will probably throw light on the question whether the oversight was excusable or not.

I have, &c.,
W. HOWARD,
Remembrancer for Legal Affairs.

Bombay,
2nd May 1849.

No. 4280 of 1849.

Territorial Department—Revenue.

To H. E. GOLDSMID, Esq., Secretary to Government.

SIR,—In reply to the Acting Secretary's letter of 9th May, I have the honor to transmit the replies, in original, of the Collectors of this Division, on the subject of Mr. Howard's letter of 2nd May: as the question is one of some importance, I have thought it better to lay all the replies of the Collectors before Government, briefly remarking on each.

Rutnageeree, 29th May (No. 642).
Belgaum, 6th June (No. 296).
Dharwar, 11th June (No. 866.)
Sholapoor, 20th June (No. 615).
Ahmednuggur, 26th June (No. 1171).
Poona, 11th July (No. 1880).
Poona, 14th September (No. 2681).

2. His Lordship in Council will observe that all the Collectors concur in the suggestion contained in Mr. Howard's 10th para.; also that the Collector of Dharwar, and the Acting Collectors of Sholapoor and Poona object to the system of reports advocated in that Officer's 11th para., and in this objection I quite concur. A Collector's unavoidable work is quite sufficient, and nothing that is really unnecessary should be added to it.

3. I agree in Mr. Reeves' 4 and 5 paras., that the *value* of the property about to be sold or transferred should not be considered: were small properties disregarded, "in the course of a year or so, a number of little Government Rights might gently slip away, the aggregate of which would be of some moment." That Officer, in his 6th para., sums up the measures for adoption, viz. the notice recommended in Mr. Howard's 10th para., and concurred in by the Collector of Dharwar and the Acting Collector of Belgaum.

4. I agree also in the opinion expressed in Mr. Reeves' endorsement of 14th September, that notice of two months should, if possible, be given of all sales and

transfers of land, to admit of all necessary references being made. The present correspondence suggests no further remarks, beyond those contained in my letter of 30th January last (No. 508).

I have, &c.,
E. H. TOWNSEND,
Revenue Commissioner S. D.

Rev. Com.'s Camp, Panwell,
21st November 1849.

Extract from para. 1 of a Report from the Collector of Rutnageeree, No. 642, dated 29th May 1849.

"* * * * A claim was made against a Farmer of the 'Ondè Muktah,' for land on which billet wood had from time immemorial been piled by Government. An Inamdar, whose land adjoins, claimed the spot, and obtained a Decree in the Moonsiff's Court, and had it not been near the Mamlutdar's Kutcherry at Rajapoor, it might have been transferred to the Inamdar without the knowledge of the Collector. The Farmer cared little about the land after his wood was cleared away in May, and he was perhaps in league with the Claimant, for he would not appeal against the decision of the Court, although, by the Decree, he was obliged to pay rent."

No. 7292 of 1849.

Territorial Department—Revenue.

To E. H. TOWNSEND, Esq., Revenue Commissioner S. D.

SIR,—With reference to your letter No. 4280, dated the 21st ultimo, with enclosures, I have been directed to observe, that the just Rights of Government over lands held wholly or partially free from Assessment, are still so ill ascertained and defined, that the Right Honorable the Governor in Council is of opinion, that the taking of measures for ensuring the receipt by the Collector and District Officers of copies of the Proclamation as suggested by the Legal Remembrancer in para. 10 of his letter of 2nd May last, No. 28, would be injudicious, inasmuch as Government would be tacitly admitting that it was incumbent on the Collector to point out, before the sale might take place, any error in the description given in the Proclamation, &c. regarding the tenure, &c. by which the land to be disposed of, would be held by the Purchaser. At any rate the fact of the Proclamation having been formally served on the Collector and the District Officer expressly for the purpose of enabling them to point out such error, would greatly strengthen the case of any man who might go into Court against us, as did the Plaintiff in the well known Mankole case.

Copy appended to Government letters to Revenue Commissioner Southern Division, dated 9th May 1849, No. 3078.

2. His Lordship in Council is, therefore, of opinion, that the opinions expressed in the accompanying letters from the late Revenue Commissioner Northern Division, dated the 10th March 1848 (para. 3), and the Legal Remembrancer, No. 34,*

* See at page 922.

of the 17th April following (paras. 6, 7, and 8), should be adopted. When satisfactory records have been prepared of the righful and (by Government) acknowledged tenures by which the Lands of any District are held, the Collector of that District and his subordinates may be enjoined, as proposed by the Legal Remembrancer in paras. 9 to 11, of his letter of 17th April 1848, and para. 10 of his letter of 2nd May last, No. 28.*

3. The Governor in Council does not imagine that in the case mentioned by the Collector of Rutnageeree in his report of 29th May last, No. 642, Government would have been at all inconvenienced had the sale, by a Decree in the Moonsiff's Court, actually taken place; all the Collector need have done would have been to impose an assessment on the land as "Sirkaree" and thus leave the *onus* of proving it was "Inamee" on the fraudulent Inamdar of the neighbouring land, who had obtained possession apparently in consequence of want of due inquiry on the part of the Moonsiff.

I have, &c.,
H. E. GOLDSMID,
Secretary to Government.

Bombay Castle,
11th December 1849.

SUITS.—Orders regarding the Transfer, in Public Registers, &c., by Decrees of Court, from one name to another, of the Rights of Holders of Alienated Land. *See Government Circular No.* 10890 *of* 1851, *&c., under* "Land."

SUITS.—"Wanta Lands" paying "Oodur Jummabundy," cannot be Alienated without the express sanction of Government. Minute by the Senior Assistant Judge of Broach, in a Suit against the Collector, containing this decision, circulated by Government as a precedent to be acted on in similar cases.

APPEAL No. 23 of 1851.

Appellant, { Dorabjee Koowerjee Mookhtiar, on the part of Framjee Sorabjee and Jemsetjee Furdoonjee; Wukeel Bomunjee Byramjee,

versus

Respondent, The Collector of Broach; Wukeel Gungadass Vurjeewundass.

Rupees 153-4-0.

The Collector of Broach filed a Suit against the Mookhtiar of Framjee Sorabjee, &c., laying damages at Rupees 153-4-0, to cause Attachment to be removed from some Land attached in satisfaction of a Decree held by them against one Mana Dyal, as the land attached paid an "Oodur Jummabundy" to Government, and was part of the Wanta Lands of Jeetsingjee Ubhesingjee, of Ammode.

The Sudder Ameen passed a Decree in favor of the Collector, removing the attachment put, because it appeared that the Decree, by virtue of which this land had been attached, had been reversed on Appeal, and, therefore, that the attachment must be also considered cancelled; and that it appeared the land attached was

* See at pages 923 and 924.

part of the Wanta Lands of the Ammode Thakoor, paying an "Oodur Jummabundy," and that this being the case, it could not be sold without the sanction of Government, it being, as it were, answerable for this "Oodur Jummabundy." A Decree was therefore given, removing the attachment from the land, the Appellant bearing the costs.

Not being satisfied with this Decree, the Appellant appeals, setting forth that the Claim of the Collector has been in no way proved; that the land attached belongs to Mana Dyal, against whom he holds a Decree, and that the reasons given by the Sudder Ameen for removing the attachment are not sound, and giving many other reasons why the decision should be reversed.

After due consideration of the evidence taken in the Court of the Sudder Ameen, and what either party has to urge, I am of opinion that the Decree of the Lower Court is correct. From Exhibits produced by the Collector, it appears that the fields attached by the Appellant are part of certain Wanta Lands of the Thakoor, and on which an "Oodur Jummabundy" is paid, and that without the express sanction of Government, such lands cannot be alienated; the Decree of the Sudder Ameen is therefore confirmed, Appellant bearing the costs.

J. R. MORGAN,
Senior Assistant Judge.

(True copy)
J. R. MORGAN,
Senior Assistant Judge.

Broach, 10th March 1852.

No. 2961 of 1852.

Territorial Department—Revenue.

To the REVENUE COMMISSIONER N. D.

Copy of the Resolution passed by Government, under date 28th April 1852, *on a Letter from the Collector of Broach, No.* 74, *of 7th April* 1852, *submitting, with reference to Government letter, dated 6th February* 1851, *copy of the Minute of Proceedings held before the Senior Assistant Judge of Broach, who has passed a decision in favor of his Department in the Appeal instituted by Framjee Sorabjee, and another,* vs. *the Collector of Broach, relative to certain Land under attachment.*

This is satisfactory, and should be quoted as a precedent in future similar cases. The decision to be communicated to the Legal Remembrancer, the Collectors in Goojràth, and the Revenue Commissioner Northern Division.

H. E. GOLDSMID,
Secretary to Government.

SUMMONS—The course to be pursued by Public Servants when they receive a —— to attend the Supreme Court of Bombay.

Circular.

No. 1686 of 1842.

Judicial Department.

To all the JUDGES, COLLECTORS, and MAGISTRATES.

SIR,—I am directed by the Honorable the Governor in Council to transmit, for your information and guidance, the annexed extract, paras. 5 and 6, from a letter from the Advocate General, dated the 23rd ultimo, respecting the course to be pursued by Public Servants when summoned to attend the Supreme Court of Judicature at Bombay.

I have, &c.,
W. R. MORRIS,
Secretary to Government.

Bombay Castle,
28th July 1842.

Extract paras. 5 and 6 of a Letter from the Advocate General, No. 40, dated 23rd June 1842.

"Para. 5. With reference to this case, I beg to observe that, as all British Subjects in any part of the Presidency are subject to the jurisdiction of the Supreme Court, they cannot refuse to attend to give their evidence, when properly summoned for that purpose; and, in general, they are bound to produce all papers and other documents* called for, provided no valid objection can be urged against such production, as in the case of Government Records, or those of a Court of Justice, in which cases authenticated copies are sufficient evidence. The proceedings before the Umuldar having been only preparatory to a subsequent Judicial inquiry before the Magistrate, the Court perhaps would not have considered them strictly as the proceedings of a Court of Justice, and might have required the production of the originals, though I cannot but think, when the fact to be proved is simply that of a complaint having been made, without any inquiry into the merits of it, that the Court would, as in the present case, be content with the oral testimony of the Witness.

"6. The Civil Servants of Government, however, cannot move from their Stations without the leave of Government, which ought doubtless to be obtained previously to their being called upon to obey the process of the Court; for this reason, I think, they would be justified in declining to move from their stations until this preliminary step had been complied with. The name of the Attorney concerned in issuing the process is always written upon the Subpœna, and, by addressing him on receipt of it, he will have no excuse for not applying to Government for the permission; and should anything occur, either on the ground of public duties, or otherwise to prevent the attendance of the party summoned at the time fixed, it would be a sufficient ground for the Court to postpone the trial. By attention to these suggestions, it seems to me all injury to the public, as well as inconvenience to Government, may be easily avoided."

* See the Legal Remembrancer's letter to Government, dated 4th March 1852, No. 25, at page 917.

No. 387 of 1855.

Territorial Department—Revenue.

To the REVENUE COMMISSIONER S. D.

Extract para. 5 of the Resolution passed by Government, under date 31st January 1855, on the Papers noted in the margin, relative to the absence from Tanna, without formal leave, of Mr. ——, Assistant Commissioner of Customs, Salt, and Opium, for the purpose of attending as a Witness in a Civil Suit in the Supreme Court.

Letter No. 1141, dated the 12th October 1854, from the Commissioner of Customs, Salt, and Opium, with accompaniments.

Report No. 560, dated 8th November 1854, from the Honorable Company's Acting Solicitor.

Report No. 1400, dated the 30th December 1854, from the Commissioner of Customs, Salt, and Opium.

Letter No. 6, dated the 9th January 1855, from Mr. ——, Assistant Commissioner of Customs, Salt, and Opium.

"Para. 5. With reference to the concluding part of the 11th para. of his letter, Mr. Young to be informed that Officers subpœnaed as Witnesses before the Supreme Court, should immediately report the circumstance, and apply for leave, which they would only be justified in anticipating if time for a reply was not given."

C. E. F. TYTLER,
Acting Secretary to Government.

SUMMONS.—Civil Courts to issue to Mamlutdars or Mahalkurrees all Summonses addressed to Inferior Stipendiary Servants, without previous reference to the European Head of the Department.

Extract, being para. 1 of a Government Circular, dated the 31st January 1846, No. 537, to the Collectors of Land Revenue, and the Collector of Continental Customs and Excise.

"Para. 1 Great inconvenience and delay being experienced by the Judicial Functionaries in some Zillahs of this Presidency in disposing of Suits in which the evidence of Government Officers is required, owing to the circuitous mode adopted of sending the Summons for the attendance of the Witnesses first to the Judge, who then corresponds with the Collector, from whom the order is addressed to the Assistant, who writes to the Mamlutdar or Mahalkurree, when the Summons is served on the party, the same course being adopted in return to the process, which thus consumes perhaps a couple of months, whereas the person on whom the process was directed, might be within half an hour's call, the Honorable the Governor in Council authorises the Civil Courts to issue to the Senior Native Officers in the District, whether Mamlutdar or Mahalkurree, all Summonses addressed to Inferior Stipendiary Servants of Government without previous reference to the European Officer at the Head of the Department."

SUNNUDS to be granted to Jagheerdars, under Act XIII. of 1842, only when the Estates are managed by the Proprietors themselves, and *not* by Agents. *See Government Circular No.* 3794 *of* 1844, *under* "Commissions."

SUNNUDS—All Applications for the Grant of —— under Act XIII. of 1842, to be made to Government through the Revenue Commissioner. *See Government Letter No.* 4333 *of* 1846, *under* "Commissions."

SUNNUDS—All —— proposed to be granted to Jagheerdars under Act XIII. of 1842, and submitted for the sanction of Government, should be countersigned by the Collector. *See Extract para.* 2 *of Government Letter No.* 3865 *of* 1846, *under* "Commissions."

SUPPLIES—Public Servants not to procure their daily —— from Patells, Koolkurnees, or Ryuts. This order is, however, not to be extended to the purchase of Fowls or Sheep.

Circular.

No. 3350 of 1842.

Territorial Department—Revenue.

To all COLLECTORS.

SIR,—The practice of the Mamlutdars and other Public Servants procuring their supplies of Grain, Ghee, &c., from the Patells, Koolkurnees, or Ryuts of the Villages under their charge being liable to much abuse, the Honorable the Governor in Council directs that it be prohibited, under pain of dismissal, as Public Servants can always procure articles for their domestic use from the regular Shopkeepers.

I have, &c.,
L. R. REID,
Chief Secretary.

Bombay Castle,
18th November 1842.

No. 4138 of 1849.

Territorial Department—Revenue.

To E. H. TOWNSEND, Esq., Revenue Commissioner S. D.

SIR,—I have been directed by the Right Honorable the Governor in Council to acknowledge the receipt of your letter No. 2560, dated the 13th instant, and to inform you that, under the circumstances stated by you, the provisions of the Circular of 18th November 1842 need not be extended to the purchase of Fowls and Sheep. You should, however, take care that the exemption is not abused.

I have, &c.,
A. MALET,
Chief Secretary to Government.

Bombay Castle,
28th June 1849.

SUPPLIES—Prohibiting the employment of Private Agency for Procuring —— of Materials or Instruments for Public purposes. *See Governmnent Circular No.* 754 *of* 1855, *under* "Instruments."

SURVEY—Orders of Government regarding the Revenue —— of Inamee, Jagheer, and Doomalla Villages; the construction of Boundaries in them, &c.

No. 5231 of 1847.

Territorial Department—Revenue.

To E. H. Townsend, Esq., Revenue Commissioner S. D.

Sir,—I have been directed by the Honorable the Governor in Council to acknowledge the receipt of your letter No. 1310, dated the 18th June last, submitting an estimate from the Superintendent of the Ahmednuggur Revenue Survey for Surveying and Classing the Lands of thirteen Jagheer Villages in the Rahooree Talooka of that Zillah, and to request you will furnish information and your opinion on the following points:—

1*st*.—Under what authority the Lands in Alienated Villages are surveyed and classed: the Honorable the Court of Directors in para. 17 of their Despatch, dated 27th March 1844, No. 5 (extract of which was communicated to your predecessor with Government letter No. 3792, dated 24th October 1844), authorised the Survey of the Boundaries of Inam Villages, but not the measuring and classing of the Lands situated within those Boundaries.

2*nd*.—Whether the only Alienated Villages surveyed and classed are those whose Proprietors *request* they may be subjected to those operations.

3*rd*.—Whether the Proprietors of Alienated Villages adopt the rates calculated from the results of those operations.

4*th*.—Whether, in your opinion, the expense of Measurement and Classification should be borne by Government, or by the Proprietors, &c. Whether a general rule should be adhered to as regards all Alienated Villages, or different rules with reference to the tenures on which they are held.

I have, &c.,
H. E. Goldsmid,
Secretary to Government.

Bombay Castle,
18th December 1847.

No. 1461 of 1848.

Territorial Department—Revenue.

To E. H. Townsend, Esq., Revenue Commissioner S. D.

Sir,—I have been directed by the Honorable the Governor in Council to acknowledge the receipt of your letter No. 495, dated the 8th ultimo, with accompaniments, furnishing the explanations called for in my communication No. 5231, of the 18th December last, relative to the Survey of Jagheer Villages.

2. In reply, I have been instructed to state, that the following points are cleared up by the papers submitted by you:—

The Survey is applied to those Alientated Villages only, whose owners desire it.

To these Villages it is applied under the authority of the Honorable Court's Despatch, No. 5, of the 27th March 1844, para. 17.

When thus applied, the rates calculated from the results of the Survey are adopted.

The three first questions proposed in my communication of the 18th December last are thus answered.

3. The former half of the 4th question contained in my communication above cited, refers to the payment of Survey charges in Alienated Villages. The Honorable Court, in their Despatch of the 27th March 1844, observed, "If, in any case, the Inamdars themselves are desirous that the Survey and Classification of the Lands should be extended to their Villages, it will be expedient that their wishes be complied with, as by that means, the Survey Records of the District will be rendered more complete." The Honorable Court appear, therefore, to have expected some benefit to Government from the (voluntary) Survey of Inam Lands, and to have meant to place the Surveying of these estates, when desired by the Proprietors, on the same footing as the Surveying of their boundaries in all cases. The expense of the latter the Honorable Court are understood to have authorised the Government to bear, and Government has extended the application of the instructions to the former cases also, in para. 5 of the letter to your predecessor, No. 1786, of the 19th April 1845, where it is observed (with reference to Jagheer Villages, and the Despatch above quoted), that the Honorable the Governor in Council is pleased to sanction the assessment of the Survey in these Villages being charged to Government, such appearing in accordance with the sentiments of the Honorable Court.

4. This appears to His Honor in Council to be a desirable measure in every case in which the Proprietor of the Village shall really adopt the rates settled by the Survey. It may happen that the Proprietor will sometimes shrink from applying these rates, and, in that case, His Honor in Council does not consider that Government is called upon to bear the charges of operations whose design is thus wilfully frustrated. His Honor in Council would, therefore, let it be an understood arrangement that Government will defray the expense of such Surveys, on the condition only that the rates fixed by them are adopted, and not otherwise.

5. In this view, the estimate amounting to Rupees (5,172) five thousand one hundred and seventy-two, framed by Captain Davidson, and submitted with your letter of the 18th June last, of the expense of Surveying and Assessing thirteen Jagheer Villages in the Rahooree Talooka, Zillah Ahmednuggur, has been sanctioned.

6. It now only remains to determine whether one general rule should be adopted for Survey charges in all Alienated Villages, or different rules with reference to different tenures.

7. Before deciding this point, I have been instructed to request that you will have the goodness to submit, with as little delay as possible, distinct information as

to all the tenures on which Alienated Villages are held; the degree of interference by Government in the management of any, and which of them; and the amount of Revenue paid to Government by those in whose management it takes a direct part.

8. The suggestion thrown out in para. 11 of Captain Davidson's letter, which accompanied yours under reply, should not, I have to add, be resorted to for the recovery of Survey expenses, under any circumstances.

I have, &c.,
H. E. GOLDSMID,
Secretary to Government.

Bombay Castle,
8th March 1848.

No. 5213 of 1850.

To H. E. GOLDSMID, Esq., Secretary to Government.

SIR,—I have now the honor to forward the replies of five Collectorates, quoted in the margin, to the 7th para. of your letter of 8th March 1848 (No. 1461): the difficulty of obtaining the information required in an uniform and intelligible shape, has helped to delay, till this late period, my replying to the Government reference. I must also take blame to myself for not sooner perceiving that the replies of those five Collectorates, received in the years 1848 and 1849, could not be included in one Statement for transmission to Government. This I first became aware of on receipt of the Rutnageeree Collector's reply, dated 18th September last, which was the last due. A "form" was therefore issued on the 31st October, and to it the letters now submitted are replies; that of Rutnageeree is not yet received.

Dharwar, 12th November (No. 1984).
Poona, 12th November (No. 3147).
Ahmednuggur, 20th November (No. 2945).
Sholapoor, 22nd November (No. 746).
Belgaum, 14th December (No. 1341).

2. An Abstract Statement is annexed, embracing all the above replies, from which it will be perceived that, in five Collectorates, 1453 Alienated Villages exist; that in 1235 of these Government do not, in any way, interfere in the management; and that in the remaining 218, they settle the Jummabundy, and collect their share, amounting, as shown in Column 28, to Rs. 34,788.

3. The question apparently which remains for decision is, whether the rule proposed in the 4th para. of your letter under reply, should be adopted or not.

I have, &c.,
E. H. TOWNSEND,
Revenue Commissioner S. D.

Sholapoor Districts,
Rev. Com.'s Camp, Sowleshwur,
31st December 1850.

STATEMENT *showing the Number and Tenures of Alienated Villages in the Collectorates of the which of them; and the amount of Revenue paid to Government by those in whose manage*
No. 1461, *dated the* 8*th March* 1848, *from the*

No.	Collectorates.	No. and Tenures of Alienated Villages.				
		Inamee.	Surinjamee.	Jagheer.	Izafut or Service Tenure.	Total.
1	2	3	4	5	6	7
1	Poona	155½	75½	..	24	255
2	Ahmednuggur	205½	250	..	5	460½
3	Sholapoor	45	34	..	38	117
4	Rutnageeree	..	..	..	..	..
5	Belgaum	97½	4	89	252	442½
6	Dharwar.....	54	5	10	109	178
	Total..	557½	368½	99	428	1,453

Deduct Villages in the Management of which Government do not interfere.

Villages in which Government have no Share, the whole being in the hands of private individuals, for which reason Government do not in any way interfere in the Management of such Villages.

Inamee.	Surinjamee.	Jagheer.	Izafut or Service Tenure.	Total.
8	9	10	11	12
66½	41½	....	3	111
96½	158½	....	3	258
21	16	....	38	75
....	....	....	....	....
76	4	89	81	250
36	5	7	4	52
296	225	96	129	746

Deduct Villages in the Management of

Villages from which, from the time of their grant, or for a long time past, Government have derived farmed Umuls, or in which the Wuttunnee Babs, &c., belong to Government, and which are alone collected by them.

Inamee.	Surinjamee.	Jagheer.	Izafut or Service Tenure.	Total.
13	14	15	16	17
80	20	....	16	116
43	19	....	1	63
16	2	....	....	18
....	....	....	....	....
14	....	..	152	166
18	....	3	105	126
171	41	3	274	489

which Government do not interfere.

Total Deductions.

Inamee.	Surinjamee.	Jagheer.	Izafut or Service Tenure.	Total.
18	19	20	21	22
146½	61½	. . .	19	227
139½	177½	. . .	4	321
37	18	. . . .	38	93
. . . .	. . . .	. . . .	. . . .	. . . .
90	4	89	233	416
54	5	10	109	178
467	266	99	403	1235

Remaining Villages in the Management of which Government do interfere by settling the Jummabundy, and Collecting its Share.

Inamee.	Surinjamee.	Jagheer.	Izafut or Service Tenure.	Total.
23	24	25	26	27
9	14	....	5	28
66	72½	....	1	139½
8	16	....	....	24
....	....	....	....	....
7½	....	....	19	26½
....	....	....	....	.. .
90½	102½	....	25	218

Southern Division; the extent to which Government interfere in the Management of any, and ment it takes a direct part; prepared with reference to the 7th para. of the Government Letter Jummabundy Accounts of the year 1848-49.

Amount of Umuls collected by Government for 1848-49 from the Villages in the Management of which Government interfere, and which are entered in Column 27.			Remarks.
28			29
5,095	3	3	Taken from the Acting Collector's Statement of 12th November 1850 (No. 3147).
24,971	6	0	Do. do. of 20th November 1850 (No. 2945).
4,445	11	8	Do. do. of 22nd November 1850 (No. 746).
....	..	..	(Statement not received up to 26th December 1850.)
276	7	7	Taken from the Collector's Statement of 14th December 1850 (No. 1341).
....	..	..	Do. do. of 12th November 1850 (No. 1984).
34,788	12	6	

E. H. Townsend,
Revenue Commissioner S. D.

No. 1223 of 1851.

Territorial Department—Revenue.

To E. H. Townsend, Esq., Revenue Commissioner S. D.

Sir,—I have the honor to acknowledge the receipt of your letter No. 5213, dated the 31st December last, with accompaniments, relative to the question as to whether or no the Revised Assessment is to be introduced into Alienated Villages in the Dharwar, Poona, Ahmednuggur, Sholapoor, and Belgaum Collectorates, and by direction of the Right Honorable the Governor in Council to communicate to you the following observations and instructions on the subject.

Introduction of a Revised Assessment in Alienated Villages.

2. In all Villages in which Government settle the Jummabundy, the Revised Assessment should be introduced whether the Government share of the Revenue be large or small.

3. The rules referred to in paras. 3 and 4 of the Government letter of the 8th March 1848, No. 1461, should, with the exception contained in the 5th of the following rules, be applied to all Alienated Villages, the annual settlement of which may be made by the Alienee, and not by Government, whatever the share of the Revenue enjoyed by Government may be. The rules may be quoted as follows:—

I. The Boundaries of all Alienated Villages to be surveyed at the expense of Government.

II. The Lands of Alienated Villages held on Hereditary tenure, of which the Alienees make the annual settlement, not to be subjected to the usual Revenue Survey operations, excepting at the request of the Alienee, and his expressing his intention to adopt the rates fixed by the Survey Department and sanctioned by Government.

III. In the event of the Alienee fulfilling his intention, the expense of the operation to be borne by Government, and in the event of his not doing so, by the Alienee.

IV. Villages held on Service Tenure by Hereditary Officers to be subject to the Revenue Survey operations, but the Holders of such Villages need not be constrained to introduce the Survey rates.

V. The Lands of Villages which are to lapse to Government on the death of the existing incumbents, are to be surveyed and classed at the same time as the lands of Kalsat Villages in the District; but the new rates are not to be imposed against the will of the Alienees until their decease. The occupants to be, however, answerable for the maintenance of the Field Boundary marks.

4. The two latter rules, you will observe, dispose of the questions submitted in your letter of the 11th ultimo, No. 219, and endorsement No. 389, of the 15th idem, on Captain Wingate's letter, dated the 8th January 1851, No. 21.

5. Copy of this letter will be forwarded direct to Captain Wingate for information and guidance, with reference to his communication just quoted.

I have, &c.,
H. E. GOLDSMID,
Secretary to Government.

Bombay Castle,
10th February 1851.

No. 694 of 1851.

Territorial Department—Revenue.

From R. SPOONER, Esq., Collector of Ahmednuggur,
To the REVENUE COMMISSIONER S. D.

SIR,—In para. 2 of Government letter to your address (No. 1223), dated the 10th February 1851, it is thus written:—

Survey of Alienated Villages.

"Para. 2. In all Villages in which Government settle the Jummabundy, the Revised Assessment should be introduced, whether the Government share of the Revenue be large or small."

2. There are 460½ Alienated Villages in this Zillah, as follows:—

"Neewull Doomalla," or Villages in which Government have no Share.....	258
"Shèràkuttee," or Villages in which Government have a Share	202½
	460½

3. Of the "Shèràkuttee" Villages, in sixty-three Villages the Government Share *is farmed*, and in 139½ the Government Share is *not* farmed.

Sixty-three Farmed Villages.

4. In the Farmed Villages, Government do not in any way interfere.

139½ Unfarmed Government Villages.

5. In the Unfarmed Villages, Government do interfere by making the Jummabundy and collecting its Share.

6. Under the instructions conveyed in the 2nd para. of the Government letter alluded to in my 1st para., the 139½ Unfarmed Villages ought not to be surveyed and assessed; and the sixty-three Farmed Villages ought to be surveyed and assessed when the period has expired for which they have been Farmed.

Collector to the Resident at Gwalior (No. 2191), dated the 2nd September 1850.
Resident at Gwalior to Collector (No. 656), dated the 14th Oct. 1850.
Collector to the Superintendent Ahmednuggur Revenue Survey (No. 404), dated 25th February 1851.

7. Of the said 139½ Unfarmed Villages, His Highness the Scindia holds forty and a half Villages *in the Sheogaum Talooka*, and he has refused to allow these Villages to be surveyed and assessed, and on this subject I beg to annex a copy of a correspondence, as per margin.

8. If Scindia's Villages are not surveyed and assessed, other Alienees will, with equal justice, protest against their Villages being surveyed and assessed; and hence, therefore, if it is intended that the instructions conveyed in the 2nd para. of the Government letter alluded to in my 1st para. are to be strictly carried out, I would beg to suggest that the Resident at Gwalior be so informed, and requested to communicate the same to His Highness the Scindia.

I have, &c.,
R. SPOONER,
Collector.

Ahmednuggur, Col.'s Camp, Shendree,
5th April 1851.

No. 6422 of 1851.

Territorial Department—Revenue.

To E. G. FAWCETT, Esq., Revenue Commissioner S. D.

SIR,—I have placed before Government your memorandum of the 22nd April last, No. 1904, and Report No. 2128, dated the 12th ultimo, with accompaniments.

2. Transcripts of a reference made by me to the Collector of Ahmednuggur, and of that Officer's Report (with enclosure) No. 1098, dated the 23rd ultimo, are annexed, from which it will be observed that neither you nor Government read Mr. Spooner's letter of the 5th April 1851, No. 694, as he intended.

3. Villages of which the Alienee makes the annual settlement, are not to be subjected to the usual Revenue Survey operations; but in the case of all Villages, including Scindia's, on whose Revenues Government may hold an Umul, endeavours should be made by the Collector to commute the Government percentage demand for a fixed sum.

4. In event of any of the Alienees declining to allow of such a settlement, and Government not being warranted by long existing practice, amounting to prescription, to demand their percentage according to the Kumal Assessment, the Collector is to regulate that percentage by the Returns furnished by the Alienee, and tested by Government, of Revenue demands or realisations (as the case may be), and is not to assume that he has a right to interdict land being granted by the Alienee on Ooktee, Kowlee, or reduced rates.

5. Possibly, however, where the Alienee may not consent to farm the Government Share, some third party will be willing to do so.

6. In event of the Alienee having no prescriptive right to grant Land on Kowlee or Ooktee rates, you are not to object to land being given on such terms, but are to regulate the Government demands according to the Assessment deducible from the existing or Sostee rates.

I have, &c.,
A. MALET,
Chief Secretary to Government.

Bombay Castle,
14th June 1851.

No. 47 of 1854.

From W. W. Bell, Esq., Acting Collector of Ahmednuggur,

To the Acting Revenue Commissioner S. D.

Sir,—I have to request the favor of your ascertaining if the construction of the letter of Government to the Revenue Commissioner Southern Division, No. 6422, dated the 14th June 1851, given by my predecessor, Mr. Spooner, in the 5th para. of the accompanying letter to the Superintendent of the Revenue Survey, is correct.

No. 1400, dated 20th June 1851.

2. It will be seen, that Mr. Spooner has understood the instructions of Government in the letter above quoted, as cancelling those in the 2nd para. of the Government letter to the Revenue Commissioner Southern Division, No. 1223, dated 10th February 1851.

3. I beg to annex, with Mr. Spooner's letter just adverted to, a copy of a letter in reply to it from the Superintendent of the Survey, and of another letter from Mr. Spooner to that Officer, as per margin, and to state that, under the instructions given by Mr. Spooner on the strength of the construction which he has placed on the Government letter of the 14th June 1851, there are ninety-three and a half Villages in this Collectorate, the annual settlements of which is made, or is liable to be made, at the expiry of current leases, by the Collector, and which have not been surveyed and re-assessed. A list of these Villages is annexed.

No. 128, dated 21st June 1851.
No. 1483, dated 28th June 1851.

4. It is possible that there may be some ambiguity in the expression in the 2nd para. of the Government letter of the 10th February 1851,—"Villages in which Government settles the Jummabundy." In the Villages to which I now allude, Government settles with the Alienee for the amount of its Shares, and, in so doing, the ordinary process, which is employed in Khalsat Villages, is gone through, and the Government shares are reckoned in some cases at the Kumal or Sostee rates, in others at the Ooktee rates, which the Alienee may fix upon the land. In the former case, the Alienee is at liberty to realize the revenue from the cultivators at any rates he may please; but Government receives its share from the Alienee at the Kumal or Sostee rates. Assuming that this settlement is what is implied by Government in para. 2 of the letter of the 10th February 1851, I am respectfully of opinion that Mr. Spooner was correct in his interpretation of the letter of the 14th June 1851; for if the Collector "has no right to interdict land being granted by the Alienee on Ooktee, Kowlee, or reduced rates," the Survey assessment cannot be introduced, except, indeed, it be restricted to the Government share of the Revenue, and it is not probable that this was the intention of Government.

5. I am anxious to explain, for the satisfaction of Government, that my attention was attracted to the positions of these Villages by a late reference from Government (as per margin) relative to the Village of "Kanhoor," but that

No. 6420, dated 4th November 1853.

when I replied to that reference, I was not informed, by an oversight of my Head Clerk, of the correspondence to which I have now referred. There is, however, nothing in this correspondence which should affect the resolution of Government on the subject of "Kanhoor," which *has been* surveyed and measured; and I make the present reference, because Government appeared not to be aware that an exception had been made to the rule in para. 2 of the letter of the 10th February 1851.

I have, &c.,
W. W. Bell,
Acting Collector.

Ahmednuggur, Col.'s Camp,
Baragaum Andoor, 11th January 1854.

Forwarding the Ahmednuggur Letter No. 47, of 11th January 1854, on the subject of the Alienated Villages of that Collectorate which should, under the orders of Government, be subjected to the Revenue Survey.

No. 337 of 1854.

Territorial Department—Revenue.

Forwarded for the information and orders of Government, with reference to their Resolution No. 6420 of 1853, dated November 4th, relative to an application from Gunput Row Nilkunt Nuggurkur, a 3rd Class Sirdar in the Deccan, that the land in the Village of "Kanhoor," held in Surimjam by his late father, may not be classified and assessed by the Superintendent of the Revenue Survey.

2. The Acting Collector of Ahmednuggur now hands up a copy of a correspondence which passed between Mr. Spooner and Captain G. A. Anderson on the subject of the Alienated Villages of his Collectorate, which should, under the orders of Government, be subjected to the Revenue Survey.

3. I beg to refer to Mr. Spooner's letter of instructions to Captain G. A. Anderson, in answer to a call by that Officer for information as to the Alienated Villages which were to be surveyed. In para. 5 he states,—

No. 1400, June 20th, 1851.

> "You will observe that, under the instructions now received, very few (if any) Alienated Villages will have to be surveyed and assessed, except in cases when the Alienees themselves are desirous of having their Villages surveyed and assessed. It would appear also, that the instructions conveyed in the 2nd para. of Government Letter No. 1223, dated 10th February 1851, viz.—
>
> > "Para. 2. In all Villages in which Government settle the Jummabundy, the Revised Assessment should be introduced, whether the Government share of the Revenue be small or great"
>
> *are, in reality, cancelled.*

4. In his 8th para., accordingly, Mr. Spooner informed Captain Anderson of his opinion that none of these Villages were to be surveyed and assessed, except at the request of the Alienees.

3. Alienated Villages.
4. Alienated Villages in *which* Government *have a Share.*

5. Mr. Spooner having *asked Captain Anderson for his opinion* as *to the correctness of these views*, that Officer stated in reply, that he did "not feel himself called upon to coincide in the arguments advanced by Mr. Spooner, and especially with reference to that gentleman's 10th para. he could not perceive in the Government letter quoted by him any allusion to the questions brought forward." Further, Captain Anderson observed *that, as Mr. Spooner had not thought proper* to *consult him*, he did not wish to take any part in the correspondence, but would attend to any instructions which might be issued to him.

6. The consequence of this was, that as Mr. Bell now reports, ninety-three and a half Alienated Villages which come under para. 2 of the Government Order No. 1223, dated 10th February 1851, have not been surveyed and assessed. Mr. Bell has, under orders received from me, supplied a list of these Villages; and it will be seen from that paper, as well as from Mr. Bell's present report, that the Jummabundy of these Villages is always settled by Government.

7. Mr. Bell suggests, that Mr. Spooner may have been misled by some ambiguity in expression of the order of Government—"Villages in which Government settles the Jummabundy."

8. It will be observed, however, from Mr. Spooner's endorsement No. 1098 of 1851, dated May 23rd, that he fully understood the scope of that expression, and that in a reference to Mr. Fawcett, the Revenue Commissioner of the Southern Division, he had requested instructions as to the necessity of subjecting to the Survey "forty and a half Villages held by Scindia in the Sheogaum District, in which Government *hold a Share, and make the Jummabundy*; and, therefore, under the recent instructions of Government, the Villages are liable to be surveyed; and as Scindia objected to their being surveyed, it became necessary to make a reference.

Para. 5.

No. 1223, February 10th, 1851. Para. 2 quoted at length.

9. The cause of reference on Mr. Spooner's part was not ambiguity, but the opposition (which was to be looked for) of Scindia.

10. The answer of Government to Mr. Spooner's question, which in his endorsement to the Revenue Commissioner, No. 939, dated 5th May, is repeatedly and broadly stated, was the following:—*

* Para. 3 of Government Letter No. 6422, dated 14th June 1851.

"Villages of which the Alienee makes the Annual Settlement, are not to be subjected to the usual Revenue Survey operations; but in the case of all Villages, including Scindia's, on whose Revenues Government may *hold an Umul*, endeavours should be made by the Collector to commute to Government the percentage demand for a fixed sum." The rest of the letter relates to the mode of compounding for, or settling, the Government percentage demand.

11. Mr. Spooner's question was not directly answered. He was not informed whether the forty and a half Villages held by Scindia, in which Government have

Shares and make the Annual Settlement, should be subjected to the Survey; but a general order was issued to him to endeavour to compound for a fixed sum in lieu of the Government percentage in all Villages on whose Revenue Government hold an Umul.

12. In the ninety-three and a half Villages respecting which Mr. Bell now seeks instructions, Government possesses shares of varying amounts, and, moreover, makes the Annual Settlement; but Mr. Spooner evidently considered that he was precluded from subjecting them to the Survey. All he had to do, was to endeavour to settle for a fixed sum instead of the Government percentage.

13. It strikes me that Government may perhaps intend to make a distinction between an Umul possessed by Government, and a Share,—as for instance, a half; but in any case, it is necessary for Government to make the settlement in order to arrive at a knowledge of its rights.

14. Mr. Bell, in his 4th para. explains the circumstances under which Government makes this Annual Settlement: He says:—

> "Government settles with the Alienee for the amount of its Shares; and, in so doing, the ordinary process which is employed in Khalsat Villages is gone through, and the Government shares are reckoned, in some cases, at the Kumal or Sostee rates, in others at the Ooktee rates, which the Alienee may fix upon the land. In the former case, the Alienee is at liberty to realise the Revenue from the Cultivators at any rates he may please; but Government receives its Share from the Alienee at the Kumal or Sostee rates."

15. Mr. Bell also considers Mr. Spooner correct in his view of the Government letter of 14th June, No. 6422 of 1851—"For if the Collector has no right to interdict land being granted by the Alienee on Ooktee, Kowlee, or reduced rates, the Survey Assessment cannot be introduced, except it be restricted to the Government Share of the revenue, and it is not probable that this was the intention of Government."

16. It is for the Right Honorable the Governor in Council to declare what the intentions of Government are with respect to Scindia's forty and a half Villages and the fifty-three others in the same State. According to the orders of February 10th, No. 1223, they should be surveyed, since Government makes the Jummabundy; while, in conformity with those of June 14th, No. 6422, Government will, as supposed by Messrs. Spooner and Bell, be satisfied with a fixed sum.

17. My own opinion is, that they ought to have been, and now ought to be, surveyed. I know of no difference between "Share" and "Umul," except in name; and I further consider that Government owes a duty to the cultivators of Alienated, as well as to those of *Khalsat*, Villages. The revenues only of the former are Alienated—not the Ryuts; and it appears to me that, whatever may be the share of the revenues which Government receives, it should be determined on a full

knowledge of the resources of the Villages, and on moderate and equitable terms, *i. e.* by a regular survey and assessment of their lands.

18. Opposition will, of course, be offered if Government should determine on the measure, but it can be very easily overcome ; and if it were fully explained by the Resident at Gwalior that His Highness would be left to levy his own rates, Scindia's objection would not, perhaps, last long ; and, in that event, those of the remaining Alienees would immediately fall to the ground.

Nassik Districts, Camp Kownai,
27th January 1854.

H. W. REEVES,
Revenue Commissioner S. D.

No. 1170 of 1855.

Territorial Department—Revenue.

To the REVENUE COMMISSIONER S. D.

Copy of the Resolution passed by Government, under date 19th March 1855, on the documents noted in the margin, relative to the Survey of Alienated Villages in the Ahmednuggur Collectorate.

Memorandum from the Revenue Commissioner S. D., No. 337, dated 27th January 1854, with enclosure.
Memorandum from ditto, No. 2987, dated 19th September 1854, with enclosure.
Letter from the Acting Collector of Ahmednuggur, No. 1153, dated 6th November 1854.

Government, in its letter No. 1223, of the 10th February 1851, para. 2, has distinctly laid down as a Rule, that all Villages in which the Officers of this Government settle the Jummabundy, should be subjected to the Revised Assessment.

2. And subsequently (Government letter No. 6422, dated 14th June 1851), in reply to a reference from Mr. Spooner, Government directed that the Survey operations should *not* be carried on in Villages where the Alienee makes the Annual Settlement.

3. These two orders are so far founded on one and the same principle, and their object and intention can admit of no doubt.

4. But the latter instructions go on to recommend that the Collector should endeavour to commute, for a fixed amount, the percentage on the Revenue which the Government enjoy in many Alienated Villages, and then forego any claim to interfere in the Annual Settlement or Jummabundy of such Villages.

5. These orders are supposed by Mr. Spooner to be inconsistent with that which directs that the Survey should be carried out in all Villages where the Government fix the Jummabundy. But Government perceives no such inconsistency. If the orders of Government, as regards commuting the percentage levies made by its Officers in Alienated Villages have been carried out in any instances, then, in those instances, Government no longer has any concern in the Jummabundy Settlement of those Villages, and the Survey will not extend to them.

6. But, before finally disposing of the doubts which have arisen on this important subject, Government would desire to be more fully informed as to the

exact extent to which Government has interfered in the settlement of the Jummabundy of the Villages belonging to Scindia and other Alienees in the Ahmednuggur Collectorate, the proportion which the Government Share of the Revenue bears to the Jumma, and the wishes of the Alienees themselves as to the extension of the Survey operations to their Villages.

Government therefore directs that a copy of the Revenue Commissioner's report, No. 337, of the 27th January 1854, be forwarded to Mr. Tytler, and that he be requested to submit an early reply to the following queries :—

1*st.*—In what manner does Government settle the Jummabundy of Scindia's Villages and those of other Alienees in which it possesses an Umul or Share ?

2*nd.*—What proportion does such Share bear to the total revenue in each Village, and for the whole, collectively ?

3*rd.*—Is the total revenue of Scindia's Villages entered in the District and Hoozoor Accounts of the Collectorate—Scindia's Share being shown as a debit ; or is the British Share only of such revenue borne on the Accounts ?

4*th.*—What is the nature of the Government Share in the fifty-three Villages alluded to in the 16th para. of the Revenue Commissioner's Report ?

5*th.*—Have the wishes of the Alienees been, in all cases, ascertained, as regards the extension of the Survey operations to their Villages ; if not in all cases, in any, and which ?

6*th.*—Whether, in the Collector's opinion, the share which Government possesses in these Villages, is of such value as to justify the expense of a Survey, in a financial point of view ?

7*th.*—Whether, setting financial considerations aside, there exist other imperative reasons for urging such a Survey against the wishes of the Alienees ?

H. Young,
Offg. Chief Secretary to Government.

No. 6821 of 1853.

Territorial Department—Revenue.

To the Acting Revenue Commissioner S. D.

Copy of the Resolution passed by Government, under date 24th November 1853, *on that part of the Memorandum by the Revenue Survey Commissioner, No.* 631, *dated the 9th September* 1853, *with accompaniment, which relates to arrangements proposed by Captain Anderson for the winding up of the Ahmednuggur Work after his departure to Europe, under the superintendence of Mr. Gooddine.*

Captain Anderson's proposals, in so far as they are concurred in by Captain Wingate, to be acted on.

2. Government learn from a demi-official note addressed by Captain G. S. A. Anderson to the Revenue Secretary, that the proposal made in para. 5 of that Officer's letter has been acceded to by Captain M. Taylor.

3. The Revenue Survey Assessment cannot be introduced into a "Doomalla" Village without the consent of the Doomaldar.*

* See Printed Circular instructions, dated 13th March 1851, which follow.

4. On such consent being obtained, and the Assessment being introduced, His Lordship in Council is of opinion that, in the spirit of the Government Order of the 14th November 1849, No. 6856, the Collector should refuse to assist the Doomaldar in realising, from the recognised occupants of Lands, any Assessment beyond that imposable by the Survey rates. This rule should be explained to the Inamdars when obtaining their consent to the introduction of the Survey.

5. Captain Anderson appears to have misread the 18th Rule of the Joint Report. It was merely intended to show that the adoption, as directed in the Government letter of 29th March 1841, No. 993 (para. 5), of the Assessment which would be imposed on Alienated Lands in Khalsat Villages, if the Lands themselves were also Khalsat, is not to be interpreted as binding the holders of these Lands to regulate their demands accordingly.

6. The authority of the holders, in Inam, of the *Revenues* of Villages which are subjected to the Survey Assessment to impose whatever tax they please on the occupants of the Lands of their Villages, has, in no respect, been recognised by the Survey Rules.

A. MALET,
Chief Secretary to Government.

RULES RELATIVE TO THE SURVEY, &C., OF ALIENATED VILLAGES.

1. The Boundaries of all Alienated Villages to be surveyed at the expense of Government.

2. The Lands of Alienated Villages, of which the Alienee makes the Annual Settlement, not to be subjected to the usual Revenue Survey operations, excepting at the request of the Alienee, and on his expressing his intention to adopt the rates fixed by the Survey Department, and sanctioned by Government.

3. In the event of the Alienee fulfilling his intention, the expense of the operation to be borne by Government; in the event of his not doing so, by the Alienee.

4. Villages held on Service Tenure by Hereditary Officers to be subjected to the Revenue Survey operations; but the holders of such Villages need not be constrained to introduce the Survey rates.

5. The Lands of Villages which have been declared already liable to Assessment on account of Government but the levy of Land Revenue in which has been deferred as an indulgence, during the life of present incumbents, are to be surveyed and classed at the same time as the lands of other Khalsat Villages in the District; but the new rates are not to be imposed against the will of the Alienee

until his decease; the occupant to be, however, answerable for the maintenance of field Boundary marks.*

H. E. GOLDSMID,
Secretary to Government.

SURVEY—All the Local Officers of a District, European and Native, required to make themselves acquainted with the Rules in the Printed Joint Report on the conduct of the Revenue Surveys.

Extract, being paras. 1 *and* 3 *of a Circular from the Revenue Commissioner to the Collectors of the S. D., dated* 10*th July* 1850, *No.* 3174.

"Para. 1. Adverting to the 'official correspondence on the Revenue Survey system,' printed and circulated by Government on the 5th March last, copy of which you have doubtlessly received, I beg to remind you that such of the Rules in the Joint Report, dated the 2nd August 1847, as have been approved by Government, are to be considered henceforward in force in all the Surveyed Districts of your Collectorate.

* * * * * *

3. Copy of a letter No. 5060, dated the 28th ultimo, from Government, approving of the present Circular, is transmitted for your information. I request your particular attention to the instructions in its 2nd para."

Extract, being para. 2 *of a Letter from Government to the Revenue Commissioner S. D., dated* 28*th June* 1850, *No.* 5060.

"Para. 2. His Lordship in Council desires that the Collectors be informed in the Circular which you propose issuing, that they and the Assistant Collectors, as well as their Hoozoor, District, and Village Officers, will be held responsible, and that too, not nominally, but actually, for administering the Survey Settlements in the manner enjoined."

SURVEY—Government enjoin a complete and cordial co-operation between the Revenue Officers and those especially engaged in the introduction of the ——, as the only means of satisfactorily and successfully accomplishing the work.

Extract part of para. 3 *of a Despatch from the Honorable the Court of Directors, No.* 5, *dated* 25*th February* 1852.

"We agree with him (the President in Council) in thinking that the Acting Collector * * acted under a misconception of his duty in forwarding to the Revenue Commissioner Southern Division the Report of the Superintendent * *, proposing new rates of assessment for a portion of the Sewnere Talooka, without expressing any opinion on the matters discussed therein, stating simply that it did not seem to require any particular remark from him; and that he was still more in error in subsequently attempting to justify the omission. We cannot expect that the

* These Rules were passed by Government on 13th March 1851.

work will be satisfactorily and successfully accomplished in any District without a complete and cordial co-operation between the Revenue Officers and those specially engaged in the Survey and Assessment; and we trust that you will be careful to satisfy yourselves in all cases that the Surveys are proceeding in the words of Sir Robert Grant, when proposing the extension of operations in Poona 'under the vigilant supervision of the Revenue Commissioner and the careful direction of the Principal Collector.'"

Minute, 18th September 1837.

No. 2915 of 1852.

Territorial Department—Revenue.

For the Revenue Commissioner Northern Division for information and for communication to the Collectors under his control.

Bombay Castle,
27th April 1852.

H. E. GOLDSMID,
Secretary to Government.

SURVEY—Collectors to take measures for ensuring prompt assistance being rendered by the Revenue Wuttundars of Villages in procuring Flag-holders for the Survey operations.

No. 483 of 1853.

From Captain G. WINGATE, Revenue Survey Commissioner,

To A. MALET, Esq., Chief Secretary to Government, Bombay.

SIR,—I have the honor to submit, for the instructions of Government, copies of a correspondence, as per margin, relative to the arrangements to be adopted next season for procuring Flag-holders required for the Survey operation in Goojràth.

From Mr. Rogers, dated 17th June 1853, with accompaniment from Captain Fanning, No. 50, dated 9th June 1853.
From Captain Wingate, No. 418, dated 1st July 1853, with accompaniment.
From Mr. Rogers, No. 88, dated 18th July 1853, with accompaniment from Captain Fanning, No. 66, 15th July 1853.

2. Captain Fanning shows clearly in his letter No. 50, that the arrangements adopted last season for making the holders of Alienated Lands provide Flag-holders, did not work satisfactorily, and that some change is required. He proposes, as the only effectual remedy, that Flag-holders should be regularly engaged by the Survey Officers, and be paid for their services, and suggests that the expense which he estimates at Rs. 10 a month for each Measurer, or somewhat less than 4 pies per acre, should be recovered from the Ryuts at the introduction of the Revenue Survey Settlements. Mr. Rogers, in his letter of 17th June, concurred in these proposals, but expressed a doubt as to the applicability of the Boundary Marks Act (Act III. of 1846) being applicable to the recovery of such expenses.

3. Having understood that the plan introduced last season in Khandesh for requiring the whole body of cultivators of Government and Alienated Land alike to serve in rotation as Flag-holders in each Village under measurement had worked satisfactorily, I made a reference to Mr. Davidson, and, on receiving his

reply in the affirmative, I transmitted it for the opinion of Mr. Rogers and Captain Fanning as to the applicability of the Khandesh arrangement to their operations in Goojràth.

4. It will be seen from Mr. Rogers' letter No. 88, that he approves generally of the Khandesh arrangements, and suggests that in Goojràth next season "the Chain-drawers, and the persons who make the chunam marks, shall still be provided out of the Wuswayas or Village servants (to be changed only on the order of an Assistant Superintendent), and that the Flag-holders, and others necessary to accompany the Measurers to the field, shall be provided out of the general body of cultivators in each Village (including cultivators of Alienated Lands indiscriminately), and be changed once a week, on Saturday." He thinks also that "payment for Flag-holders should be strictly confined to cases where the cultivators may not be more than sufficient to keep up with the measurement in the construction of Boundary Marks, the expense in which cases would fall on the Government."

5. Captain Fanning, on the other hand, entertains "a very strong impression, that the Khandesh plan would not, in the working order, be found to secure the object he has in view, namely the regular and early attendance of Flag-holders and others appointed to accompany the Measurers into the field. He fears, that of those who should, according to rosters, attend the Measurer at daybreak, there will, on the great majority of days, be some men missing, and that nearly daily delays will occur while the sluggards are being called." These objections were, however, made on the supposition of the Flag-holders being changed daily, and do not apply to Mr. Rogers' plan of changing the men weekly, and making them sleep over-night in the Village Chowrees, so as to be ready to attend the Measurer at daybreak.

6. Upon the whole, I think the arrangements suggested by Mr. Rogers should be tried for next season, at all events. The immediate outlay required for the payment of Flag-holders would be heavy, and it would have to remain from one to two years unadjusted, either in the Survey or Collectors' Accounts, if its eventual collection at the introduction of the Survey were authorised. And, I do not feel satisfied, that the payment of Flag-holders would operate to the extent anticipated by Captain Fanning in obviating delays in getting into the field. In addition to Flag-holders, the presence of the Village Officers and Wuswayas, and also of the Holders of fields under measurement is required, so that, I think, difficulties in ensuring the early attendance of these would continue to be experienced even by the most zealous Measurers, while pretexts for delays would not be wanting in the case of Measurers inclined to be lazy themselves.

7. In case of evident necessity when unusual difficulties in obtaining Flag-holders are experienced, the Superintendent should, I think, be authorised to entertain them and charge the expense in his Contingent Bill, rather than entail still greater expense through retardation of the Survey operations; but I am persuaded that these cases will not prove numerous under the proposed

arrangements. The question as to the recovery of the money thus expended, might be left over for decision hereafter, when its amount, for any District into which the Survey Settlement is about to be introduced, can be ascertained.

8. With reference to objections which have been raised by the Superintendent of Police in the Ahmedabad Zillah to any assistance being required by the Survey Department from certain Village Wuttundars on the Police Establishment, adverted to by Captain Fanning in the 12th para. of his letter No. 50, and by Mr. Rogers in the 4th para. of his letter of 17th June, I concur with both Officers, in thinking that the Survey Department is entitled to claim the assistance of such Wuttundars, so long as their employment might not interfere with performance of their more legitimate duties. I believe, that in small Villages, these Wuttundars are the parties who, by usage, would be employed during a Revenue Survey in collecting the Villagers, conveying letters, and so forth, and that there are no other parties on the establishment of such Villages on whom the duties in question could be devolved.

I have, &c.,
G. WINGATE,
Revenue Survey Commissioner.

Camp Poona,
3rd August 1853.

No. 4860 of 1853.

Territorial Department—Revenue.

To the REVENUE COMMISSIONER N. D.

For his own information, and for communication to the Collectors of Goojràth.

Copy of the Resolution passed by Government, under date 19th August 1853, on a Letter from Captain G. Wingate, Revenue Survey Commissioner, No. 483, dated 3rd August 1853, submitting, for the instructions of Government, copies of a correspondence, relative to the arrangements to be made for procuring Flag-holders for the Goojràth Survey operations during next season.

1. Captain Wingate's views to be acted on.

2. Government are not inclined to incur so heavy an expense as would be required, if Captain Fanning's opinions are followed; and his Lordship in Council trusts that the instances in which Flag-holders are to be paid by Government will be rare and exceptional.

3. The Collector should take measures for ensuring prompt assistance being rendered to the Survey Department by the Revenue Wuttundars of the Villages.

A. MALET,
Chief Secretary to Government.

SURVEY—No Partial Revision of Assessment is to be made in Districts to which the operations of the Revenue —— are soon to be extended.

No. 4675 of 1852.

Territorial Department—Revenue.

To the REVENUE COMMISSIONER N. D.

Copy of the Resolution passed by Government, under date 10th July 1852, *on a Memo., dated 15th June* 1852, *No.* 175, *in which the Revenue Survey Commissioner submits an opinion on the Letter from the Revenue Commissioner N. D., No.* 1416, *dated 8th June* 1852, *in which the latter Officer solicits the sanction of Government to Rupees seventy-four, annas five, and pies four, (74-5-4) being expended by the Collector of Kaira for Classifying Lands by Punchayets in four Villages of the Kaira Zillah.*

Sanctioned.

2. The opinions expressed by Captain Wingate are judicious, and should be acted on in Goojràth.

3. The general rule he advocates has, on more than one occasion, been laid down by Government, and a partial Revision of Assessment should not be made in Districts to which the operations of the Revenue Survey Establishment are to be extended at no very distant date.

A. MALET,
Chief Secretary to Government.

No. 175 of 1852.

The arrangements for the prosecution of Survey operations in the Goojràth Collectorates are not yet sufficiently matured to enable the Revenue Survey Commissioner to say when the Survey is likely to be extended to the Kaira Collectorate. As a general rule, he is of opinion that it is not desirable to undertake partial Revisions of Assessment in Collectorates, where a Revenue Survey is in operation, or in immediate prospect, as it is of some importance that the Ryuts should look to it, rather than to any other expedient for a reduction of Assessment. But as the recommendation in the present case applies only to four Villages, and it is not intended to revise the present rates of Assessment in any other instances pending the regular Survey, the proposed measure would not, in the Revenue Survey Commissioner's opinion, operate in any way to the prejudice of the Survey, while its sanction seems desirable, in consideration of the unusually depressed condition of the Villages in question.

G. WINGATE,
Revenue Survey Commissioner.

(True copy)
A. MALET,
Chief Secretary to Government.

Dharwar,
15th June 1852.

SURVEY—In all future Leases granted to Cultivators in Villages managed according to the *Khatabundee* and *Hoondabundee* System, the Collectors should insert a provision that the Leases will be at once cancelled on the introduction of the Revenue —— .

No. 6763 of 1852.

Territorial Department—Revenue.

To the REVENUE COMMISSIONER N. D.

Extract paras. 1 *and* 2 *of the Resolution passed by Government, under date* 18*th October* 1852, *on a Letter from Captain G. Wingate, Revenue Survey Commissioner, No.* 295, *dated* 2*nd September* 1852, *submitting a further report from Mr. Rogers, in continuation of his General Report No.* 64, *relative to the various tenures on which Lands are held in the Province of Goojràth.*

"Para. 1. Government fully concur in the 9th para. of Mr. Rogers', and the 3rd of Captain Wingate's letters.

"2. Copies of these paras. to be sent immediately by the Revenue Commissioner Northern Division to the several Collectors in Goojràth, for information and guidance."

A. MALET,
Chief Secretary to Government.

Extract para. 9 *of a Letter from Mr. A. Rogers, on Special Duty, dated* 16*th August* 1852, *No.* 66.

"Para. 9. These are Khalsat Villages, in which Leases are given to separate Cultivators on their separate holdings for a certain number of years, at fixed rates, occasionally with some abatement from the regular Assessment, or with waste land included rent-free, to allow of a rotation of crops in poor soils. Any improvements by the Cultivators are enjoyed by them without enhancement of rent during the continuance of their Leases. The tenure would preclude the introduction of a new assessment, until the expiration of the Leases that may have been granted, so that it would be as well if a Circular Order were issued to the different Collectors not to make any settlements of this nature before the introduction of the Revenue Survey, without a provision being inserted in the Leases to the effect that they may be at once cancelled on that event occurring. The current Leases will not, I think, interfere with us in any way, as they are generally given for short periods, as five or six years."

Extract para. 3 *of a Letter from the Revenue Survey Commissioner, No.* 295, *dated* 2*nd September* 1852.

"Para. 3. The only point to which I would invite early attention is, the suggestion made by Mr. Rogers in the 9th para. of his report, that it would be well if Circular instructions were issued to the different Collectors in Goojràth, to make a provision in all future Leases granted to Cultivators in Villages managed according to the

Khatabundee and Hoondabundee System, that these Leases may be at once cancelled on the introduction of the Revenue Survey Assessment. This precaution seems very desirable, as the Leases might otherwise throw difficulties in the way of the future Settlement."

(True extracts)
A. MALET,
Chief Secretary to Government.

SURVEY—Before sanction to adopt the New Rates of Assessment fixed by the Revenue —— is applied for, the Collector of the District should be made fully acquainted with the nature and particular of the Superintendent's Settlements. *See Government Resolution No.* 1825 *of* 1855, *under* "Assessment."

SURVEY—A Special Report not required to be made by the Superintendent of a —— to either Government or the Revenue Commissioners, of Leave of Absence granted to their Assistants, provided the period of Absence from the Districts does not exceed one month in the year, &c.

No. 2324 of 1854.

Territorial Department—Revenue.

To the REVENUE COMMISSIONER N. D.

Copy of the Resolution passed by Government, under date 18*th May* 1854, *on a Memorandum No.* 953, *dated the* 3*rd April* 1854, *from the Revenue Commissioner N. D., submitting a Letter from the Superintendent Poona and Tanna Revenue Survey, reporting that his Assistant, Lieutenant* ——, *employed in the Panwell Talooka, was absent from* 21*st January to* 18*th February* 1854, *at Tanna, whither he went for Medical advice, and requesting instructions as to whether a report to Government in such cases is necessary, or merely to the Revenue Commissioner. Reported on by the Civil Auditor, under date the* 8*th April* 1854, *No.* 1220.

Government are not aware of the necessity of a Special Report to either authority, provided the period of Absence from the Districts does not exceed one month in the year, and that no extra expense is incurred for the performance of the Assistant's duties.

2. The Annual Progress Report ought to show for how many days each Assistant has been absent from his District on sick certificate.

H. E. GOLDSMID,
Offg. Chief Secy. to Government.

No. 1220 of 1853-54.

Territorial Department—Revenue.

With reference to the 2nd para. of the Revenue Survey Commissioner's endorsement No. 41, of the 8th of January 1853, and the 2nd para. of the Resolution

passed by Government, under date the 21st February following, No. 1112, the Civil Auditor submits that Lieutenant —— should receive full Pay for the period he was at Tanna for Medical advice, viz. from the 21st of January to the 18th of February last.

2. As regards the question which is submitted to Government in Mr. Revenue Commissioner Fawcett's endorsement No. 953, dated the 3rd instant, the Civil Auditor is respectfully of opinion that an intimation to the Revenue Commissioner would be sufficient for temporary absence of the nature contemplated, not exceeding one month in each year; but when leave is required beyond that period, the sanction of Government should be obtained, and the leave notified in Orders.

Bombay,
8th April 1854.

R. SPOONER,
Civil Auditor.

(True copy)
H. E. GOLDSMID,
Offg. Chief Secy. to Government.

SURVEY—The Revenue —— Records how to be disposed of on the Revision of Assessment in any one District being completed. *See Extract paras. 2 and 4 of Government Letter No. 5033 of 1851, under* "Records."

SUSPENSION—Rules for regulating the Pay of Public Officers under ——. *See Government Notification of 22nd December* 1843 *(page* 414*), under* "Establishment."

SUSPENSION—The power of Collectors to award —— from Office *as a Punishment.*

Extract, being paras. 2 and 3 of a Letter from Government to the Revenue Commissioner S. D, dated 29th September 1852, *No.* 6333.

"Para. 2. In reply, I have been desired to inform you, with reference to the general question put in your letter No. 1631, dated the 15th July last, that the suspension provided for by Clauses 1st, 4th, and 6th, of Section IX. of Regulation XVI. of 1827, is a punishment *per se*, to inflict which, the Regulation, in express terms, confers power on the Collector: the confirmation of Government is only necessary under that Regulation to sentences of dismission of Servants whose monthly salary amounts to Rupees (30) thirty. By Government Orders of 29th December 1851, No. 12026, and 5th February 1852, No. 865, reports are also to be made in all cases of dismission of persons whose pay is of an amount which would eventually entitle them to pensions, viz. in excess of Rupees (10) ten.*

"3. His Lordship in Council has now been pleased to enjoin, under Clause 6 of Section IX. of Regulation XVI. of 1827, that the sanction of the Revenue Commissioners of the Divisions to punishment by Suspension in cases in which the party to be punished draws a monthly salary amounting to Rupees (30) thirty, is to be required; and that in the event of the Revenue Commissioner and Collector not being able to concur in opinion, the case is to be referred to Government."

* See para. 9 of the Honorable Court's Despatch, No. 42 of 1851, at page 408.

Extract, being paras. 4 and 5 of a Letter from the Revenue Commissioner S. D. to Government, dated the 15th July 1852, No. 1631.

"Para. 4. The powers of the Collector in controlling his establishment, both European and Native, are defined in Section IX. of Regulation XVI. of 1827; and under Clause 2 he is authorised to dismiss any Officer, in receipt of a less salary than Rupees (30) thirty per mensem. Reasoning, therefore, from analogy, as Suspension is a less punishment than dismissal, if he be authorised to award it at all, there would apparently be no objection to his doing so, in a case where, like the present, the offender is in receipt of a salary of only Rupees (17½) seventeen, and annas eight, a month.

"5. It seems, however, probable that the suspension alluded to in the Regulation referred to, refers rather to suspension pending ulterior proceedings, than to suspension for a fixed period, as in the latter case it is reasonable to suppose some limit would have been placed on the term for which it could be inflicted; and under this view, perhaps, Mr. Rose is right in considering that cases in which it is deemed expedient to resort to it as a punishment should be reported for confirmation."

SUSPENSION—Prolonged —— of Public Servants disapproved of by Government: cases against them should be investigated without delay.

No. 1711 of 1855.

Territorial Department—Revenue.

To the Revenue Commissioner S. D.

Extract para. 2 from the Resolution passed by Government, under date 26th April 1855, on a Letter from the Revenue Commissioner N. D., No. 793, dated the 10th April 1855, with accompaniments, relative to the case of Kursunlal Kessowlal, Mamlutdar of Jettulpoor, in the Ahmedabad Collectorate.

"Para. 2. Mr. Hadow is further to be informed, that Government disapprove of the prolonged suspension from Office of any Government Servant, pending inquiry into imputed misconduct. When an Officer has such grave cause of suspicion against, or distrust in, a subordinate as, in his opinion, justifies him in suspending such subordinate from Office, he should use every endeavour to avoid delay in the investigation of the case. Such suspension involves not only pecuniary loss, but also much painful uncertainty; and thus operates as a punishment inflicted before trial. More than a year has elapsed since the suspension of this Mamlutdar was reported by Mr. Hadow to the Revenue Commissioner."

W. Hart,
Secretary to Government.

T

TANKS—All Applications for sanction to Repairs to —— should state distinctly whether they are necessary for maintaining, or for increasing, the existing Revenue, &c.

Extract, being para. 2 of a Letter from Government to the Revenue Commissioner S. D., dated 8th May 1846, *No.* 2237.

" Para. 2. You are requested, however, in submitting propositions of this kind in future, if they are recommended with a view to revenue objects, to state whether they are requisite for the maintenance of the existing revenue, or for the production of an increase; and in the latter case, to mention the probable annual amount of additional revenue to be expected from them. If they are merely for general objects, they should be submitted for consideration in the General Department."

TANKS—Instructions for Improving the state of ——, and preventing a Wastage of Water.

No. 1493 of 1846.

General Department.

To E. H. Townsend, Esq., Revenue Commissioner S. D.

Sir,—I am directed by the Honorable the Governor in Council to transmit to you a copy of a letter (No. 1491), which I have this day addressed to the Board of Conservancy at the Presidency, on the means of preventing Wastage of Water by directing it into Tanks.

2. It appears to the Governor in Council that the measures therein suggested for increasing the supply of water in Tanks at the Presidency might, with equal advantage, be applied to the Districts in the interior; he therefore requests that you will call the attention of the Collectors and their Assistants to the importance of encouraging, by all means in their power, the improvement of the different Tanks throughout the country; and assure them that Government will ever be ready to promote any works, having for their object an increased supply of wholesome water for the people in general, and the consequent prevention of that distress which, owing to the scantiness of the last two monsoons, is now so extensively felt.

I have, &c.,
W. Escombe,
Secretary to Government.

Bombay Castle,
13th May 1846.

No. 1491 of 1846.

General Department.

To G. Hancock, Esq., Clerk to the Board of Conservancy.

Sir,—It has occurred to the Honorable the Governor in Council that the supply of Water annually collected in the different Tanks in Bombay, might be

considerably increased by the adoption of means to prevent the wastage which now takes place.

2. It is probable that much water is at present lost from the want of a little care to direct it into channels by which it might find its way into some Tank, instead of being carried off by the different drains.

3. The Governor in Council therefore requests, that the Board will give their attention to this subject, and direct the Superintendent of Repairs to take such measures as may appear to him advisable, with the view of bringing to the several reservoirs a larger quantity of water than can now be collected in them, by means of the channels by which they are at present supplied.

4. I am also desired to convey the request of the Governor in Council, that measures may be taken for enlarging the capacities of the Tanks, first by removing the mud which has accumulated in them, and secondly by blasting the rocks wherever the water is low enough to admit of their being got at.

I have, &c.,
W. Escombe,
Secretary to Government.

Bombay Castle,
13th May 1846.

TANKS, WELLS, &c.—Collectors and their Assistants authorised to sanction Outlays for the Repair of —— , without the previous sanction of Government.

Extract para. 7 of a Letter from the Revenue Commissioner S. D. to Government, No. 627, dated the 15th September 1832.

" Para. 7. For these reasons I am induced to recommend to Government the following plan :—

" 1*st.*—That Collectors and all First Assistants in Charge of Purgunnas be authorised to expend annually, at their discretion, on Public and Agricultural Works of the kind above adverted to, a sum not exceeding Rupees three thousand per annum, provided they satisfy themselves by previous inquiry that an adequate return may be fairly expected from the expenditure.

" 2*nd.*—A larger sum than Rupees two hundred is never to be expended on any Work, without the concurrence of the Revenue Commissioner.

" 3*rd.*—That under the same limitation, all other Assistants having charge of Districts be allowed to expend Rupees one thousand and two hundred per annum.

" 4*th.*—That in selecting objects for the outlay, Wells be preferred, next Tanks, Bunds, &c.

" 5*th.*—That the Assistants keep a memorandum in the English language, explaining the nature and extent of the Work, and the benefit it is estimated to produce.

" 6*th.*—Copies of the memorandum to be transmitted every four months (on the 1st January, 1st April, and 1st August) to the Collector, who should

forward them to the Revenue Commissioner with any remarks he may have to offer.

" *7th.*—The Revenue Commissioner to transmit the reports to Government.

" *8th.*—That from the sums above specified, amounts not exceeding, in any instance, Rupees seventy-five, may be appropriated to the construction or repair of Chowrees."

No. 2824 of 1832.

Territorial Department—Revenue.

To T. WILLIAMSON, Esq., Revenue Commissioner.

SIR,—I am directed to acknowledge the receipt of your letter, dated the 15th ultimo, recommending that Assistant Collectors employed in the Districts, be authorised to make small outlays of money, for the repair of Wells, Tanks, Bunds, &c., and also of Village Chowrees, without the previous sanction of Government in each case; and to acquaint you, that the Right Honorable the Governor in Council, concurring in your opinion that considerable benefit may be expected from assisting the Ryuts in undertakings of this description, and deeming it of importance that grants for this purpose should be made on the spot, with as little delay as possible, is pleased to approve of the plan suggested by you in the 7th para., with the following modifications, namely:—

1*st.*—The annual outlay of the First Assistant (See Rule 1st) to be restricted to Rupees (1,800) one thousand eight hundred.

2*nd.*—The previous sanction of the Collector to be obtained by the other Assistants on deputation, to the expenditure of any part of the sum to which it is proposed, in the 2nd Rule, to limit their outlays.

3*rd.*—The reports of the appropriation of the monies expended under the authority conveyed in this letter, to be transmitted to Government, through the Revenue Commissioner, once in six months, instead of every four months, as proposed in the 6th Rule.

2. You will accordingly be pleased to issue the necessary instructions to the Collectors and Principal Collectors under your control.

I have, &c.,
L. R. REID,
Secretary to Government.

Bombay Castle,
11th October 1832.

N.B.—These orders were modified by the correspondence which follows, and the instructions of Government arising therefrom, dated the 4th September 1835, *No.* 2022.

No. 1233 of 1835.

Territorial Department—Revenue.

To L. R. REID, Esq., Secretary to Government, Bombay.

SIR,—It being one of my special duties to suggest to Government measures

Plan for improving the Resources of the Deccan and Khandesh.

calculated to improve the condition and Revenue of the country, I have the honor to submit some proposals, by which I conceive that great end will be, in a high degree, advanced.

2. In countries like the Deccan and Khandesh, which are peculiarly subject to severe droughts, any plan for extending irrigation is highly worthy of consideration.

3. Fortunately, these countries afford remarkable facilities for this kind of cultivation.

4. Generally speaking, the Districts are divided into ranges of hill and valley, some larger, some smaller, each, with its river or rivulet, having more or less water many months in the year.

5. I believe it will be found that, in former times, when India was under energetic Governments, animated by a determined spirit of improvement, as during the reigns of some of the Mogul emperors like Akbar and Aurungzebe, great advantage was taken of the natural facilities which the Country presented for irrigation.

6. In many places old works for this purpose are found in a ruinous state, whereas in others, no doubt new works might be constructed, which would greatly tend to the prosperity of the country.

7. The most remarkable examples, within the Bombay Government, of river irrigation are in the Ahmedabad and Khandesh Collectorates.

8. In the former, the water of the Kharee river is supplied to the Villages on its banks by means of *temporary* Bunds to a vast extent; and in the latter the Villages of Baglan are covered with the richest crops of sugar-cane, plantains, ginger, safflower, and other valuable produce, watered from rivulets by means of embankments and acqueducts of solid masonry, which, in truth, may be designated magnificent works.

9. But works of magnitude are not generally required: what is now wanted are works which will be profitable, and from which early returns may be realised. We must proceed on sound data, and carefully avoid uncertain speculations.

10. Great good may be effected by comparatively small means.

11. Through the agency of intelligent European Officers, who might themselves personally inspect the capabilities of the country, the plan I have in view could readily be carried into effect.

12. I would accordingly recommend that two Officers be appointed to each Collectorate, and their respective divisions be determined by those local circumstances which immediately affected their duties.

13. The general nature of their duties might be defined to develope the resources of the country by means of Dams, Tanks, Water-courses, and such like works.

14. Immediately after taking charge of their appointments, they should make a

general tour throughout every District of these Collectorates, and, in communication with the Collectors, the Local Native Revenue Officers, and the Patells of Villages, to report on all works of the above description in, or out of use; and wherever any have fallen out of use, or require repair, then to ascertain by personal inspection, and inquiries from the Patells and people of the Villages to which they belong, and of those who possess the right of water from them, the advisability of restoring them, and the best means of doing so.

15. The usages, regarding the right of water in the case of the old works, will serve as good guides for the new; but it must be particularly borne in mind, that the feelings and wishes, not only of one, but of every villager concerned, must be considered; and written Razeenamas (amicable agreements or acknowledgements) taken to prevent future disputes,—for in such cases disputes are very liable to arise. With such agents it must be a primary object to conciliate the people, and to encourage them to contribute to the works in money or in labor. Unless the agents carry the people along with them, failure will often be the infallible issue. Knowing from experience the importance of *this point*, I would fain enlarge upon it, but to sensible men (such as those will undoubtedly be to whom this delicate task will be delegated), it will at once occur how indispensable it is that the works should be undertaken with the full concurrence and aid of the people for whose ultimate benefit they are chiefly intended. Our contribution must, in fact, be made a matter of favor on the part of Government, and, in that light it should, on all occasions, be represented to the Public.

16. *The Determination of Positions for the Works,*—their materials, dimensions, and such like details, must, of course, be chiefly left to the discretion of the agents; and, unpossessed as I am of scientific knowledge, if any information is required on these "Heads," it must be sought for from other quarters. How embankments should be formed I know not; but I do know that, in many instances, large sums have been sacrificed in an instant by floods and impetuous streams carrying embankments away in the monsoons, owing to their imperfect construction.

17. I, as an ordinary observer, too, have remarked that the water of the Deccan rivers runs to waste in the rains, and that scarcely any means are now adopted to prevent the water from being unprofitably carried down the stream in dry weather.

18. It is, likewise, equally evident that a dam not only secures water to all above, but even (in rivers like those with widely extended irregular banks) benefits materially the people below; inasmuch as the water which runs off, coming through a narrow channel, is not diffused and evaporated on all sides, as must often happen where there is no dam. A scientific gentleman, of considerable experience in Indian agriculture, states that,—"When a dam is made of stone and grass bushes, &c., with a double inclined plane of sand for a support, the expense is trifling;—a part is, of course, carried away in the following rains; but the benefit, not only to the land where the dam is placed, but even to the melon growers

immediately below, is striking. Wells, having springs connected with the bed of the river, are kept fuller than before; the flow of water below the dam is not only *greater*, but almost uniform until the end of the dry season. A channel is cut for the stream through the land, on the opposite side of the river, to the place where you wish to draw the water, and this can be regulated so as to keep that portion of the bed of the river included between the bank you draw from, and the dam quite full. For this kind of *Cutcha* dam, a place where there is rock or bank, and a high sand bank on the other side, is the best. The water being once stopped in this temporary way, any Native cultivator knows how to take advantage of it; he erects his *Boorkee*, if the soil is loose, with a foundation of wood and bushes; from this he draws water by the 'Mōt,' in the usual way. Should the flood of the following monsoon carry this away, it is no more than he bargains for, and he accordingly erects it again." Another competent authority observes,—"It occurs to me that extensive tanks could be formed by damming up the course of some of the rivers in this part of the Deccan, where the soil being hard, and the banks generally steep, little difficulty would be found in their construction: there is an instance of the kind at Narrayengaum to the north of Poona, and (on a very small scale indeed) near the Horse Artillery lines in Poona. The fall of the Bheema, for instance, is probably not a foot per mile; allow it to be even double that quantity, and a dam ten feet high would flood five miles of the river. In the formation of such tanks, a little care would make them hereafter available, perhaps, as a means of communication: at any rate it would be worth while to keep such an object in view."

19. *Roads.*—Though, I believe, nothing to be better calculated to call forth the exhaustless productive powers of this country, than improving the internal communication by means of roads and bridges, I have not included those works in my present scheme. In the first place, they are not in my Department; and, in the second, I should fear they could not be efficiently superintended by Officers who must generally be fully engaged in superintending parties of workmen necessarily employed (in Zillahs of the vast territorial extent of Khandesh, Ahmednuggur, and Poona,) at considerable distances from each other. Large sums, I apprehend, have often been sacrificed, and work done imperfectly, owing to those who superintended them having too much to do.

20. After the Superintendents had fully satisfied themselves of the advantages of any particular works, they should report upon them to the Collectors, forwarding to him, at the same time, estimates of the expense. The Collector should forward them to the Revenue Commissioner, with any remarks that occur to him, and the Revenue Commissioner will submit them to Government. If the latter Officer deemed it advisable, he might be allowed to authorise the immediate commencement of works when the estimated expense did not exceed Rupees three thousand, immediately reporting what he had done to Government.

21. The Superintendent may, perhaps, require the permanent assistance of some intelligent "Mestree" or head "Goundee," and a few skilful workmen from the Pioneer Corps. It should be their aim to employ, as much as possible, the people of the country. Office establishment, or any expense of that description, must be avoided. The success of the plan will chiefly depend on individual energy, zeal, and activity.

22. The Collectors will direct their Mamlutdars and the Village Authorities to give the Officers every assistance in their power; they should also furnish the Officers with a paper bearing their seal and signature, explaining the objects of their deputation, and the nature of the co-operation the Villagers are to afford. This paper will serve as a passport to free communication and fair dealing.

23. *Goojràth.*—Though these suggestions relate exclusively to the Deccan and Khandesh, some of them might be beneficially adopted in Goojràth, and I would respectfully propose that Lieutenant Fulljames, who is now engaged in the Ahmedabad Collectorate in boring for water, be also employed in forming Tanks, Watercourses, &c., wherever the Collector conceives his superintendence desirable.

24. The young men, too, who are at the head of the Survey establishments in the different Districts of Goojràth, should be similarly employed at the discretion of the Collectors; and when any particular work requires their undivided attention, the Collectors should make some temporary arrangement for supplying their place in the Survey;—it might proceed, for instance, under the discretion of some intelligent Native Measurer, already in the Department. Scarcely any expense would attend this plan, and, if it were found to answer, it might hereafter be extended.

25. *General Remarks.*—The proposed plan will, I expect, be executed at a comparatively trifling *expense*; and I respectfully trust no objection will be made to it on that score. On the territorial amelioration of India, Government chiefly relies for an augmentation of its Revenue;—as far as this rising settlement is concerned, I believe that expectation to be well grounded, but susceptible as our Districts are of large improvements,—for such improvement it would be vain to look, unless Government applies that culture to their resources, which reason, nature, and experience point out to be applicable and necessary, and which it is equally its duty and its interest to bestow upon the country.

I have, &c.,

T. Williamson,
Revenue Commissioner.

Poona, Rev. Com.'s Office,
4th August 1835.

No. 2022 of 1835.

Territorial Department—Revenue.

To T. Williamson, Esq., Revenue Commissioner.

Sir,—I am instructed by the Right Honorable the Governor in Council to acknowledge the receipt of your letter No. 1233, dated the 4th ultimo, suggesting

a plan for improving the Deccan and Khandesh, by attaching Engineer Officers to the different Collectorates, whose duty it shall be to ascertain the best means of encouraging artificial irrigation, and to undertake the construction of Tanks, Bunds, and other works of a similar description.

2. The great want which is experienced of means for improving the irrigation of the Country, has been recently under the consideration of Government; and its particular attention has been forcibly directed to this subject by the unfavorable aspect (until very recently) of the season, and the apprehension which was entertained of a total failure of the monsoon. This has pressed upon the Governor in Council a conviction of the necessity of immediately adopting every measure calculated to avert the fearful evil of Famine, and to provide, in future, as far as human means will avail, against the heavy calamity of a drought. These objects will, it is apprehended, be promoted, and the condition of the country and its inhabitants be considerably ameliorated by the employment of scientific persons, whose duty it shall be to improve the resources of the country by the construction and repair of Tanks, Bunds, and other works, tending to promote artificial irrigation.

3. With these views, the Governor in Council highly approves of the general principle of the plan which you have recommended, and which Government has determined to adopt. But, as it is somewhat defective, inasmuch as its details do not show that system of combined direction which is essential to efficiency, the Governor in Council has resolved to make a few alterations, which will supply the deficiency, and which he conceives to be necessary in order to secure the most perfect result.

4. The Governor in Council has accordingly determined that there shall be one Superintendent (an Engineer Officer of acknowledged talent and practical skill) of Tanks and Roads in the Concan, Poona, and Ahmednuggur Collectorates. The duties of this Officer will be to make himself acquainted, by immediate communication with the Collectors and Native Authorities, with the general state of the country; to visit every part of his charge; to receive and examine the reports of his Assistants, and forward them through the Collector of the Districts to the Revenue Commissioner.

5. Under the Superintendent, two scientific Officers will be stationed in each Collectorate, charged with the construction of Tanks and other works: they should send in quarterly reports, accompanied by Surveys of their District, and should point out such works as they deem most likely to promote either traffic or cultivation.

6. The Governor in Council acquiesces in the sentiments expressed by you in the 15th para., the substance of which should be embodied in the instructions to the Superintendent and Assistants, and strongly pressed upon their notice. For, it is certain, that unless we interest the people in the contemplated improvements, we cannot expect that our efforts will prove successful.

7. Under the Superintendent and his Assistants will be placed bodies of Convicts to be employed on all works; but some plan must be devised between yourself, the Judges, and the Superintendent, for guarding them whilst at work, securely and economically. Such pensioners as are capable of service may, perhaps, be thus employed on small additions, of Rs. 2 or 3 each, to their monthly pensions.

8. The Governor in Council conceives that it will be advantageous to employ as Overseers, such of the Non-Commissioned Officers and Privates of the Pioneer Corps, which is about to be disbanded, as the Superintendent may select for that purpose.

9. The Governor in Council entirely concurs in your opinion, that it would be a very narrow-minded policy to check plans of great and permanent improvement by a timid reluctance to increase the present expenditure; but though he does not feel any such reluctance in the present case, still he conceives himself bound to resort to such expedients as will save Government from incurring any additional expense. The following, therefore, are the means by which it is proposed to raise a Fund, out of which all disbursements on account of Tanks, Bunds, &c., must be defrayed, viz :—

Reduction of the Corps of Pioneers estimated per annum to cause a saving of Rupees	51,109	0	0
Amount allowed for repairs to the Contractor of the Poona Mail Road, which will be saved under the new plan, of which you will be advised from the General Department, for the Repair of Roads	10,800	0	0
Amount which the proposed Tax, regarding which a reference will be made to you from the General Department, on the Cotton carts, is estimated to yield	16,000	0	0
Of the Toll on the Bhore Ghat, estimated at	6,500	0	0
At present expended on the Cross-roads of the Poona and Ahmednuggur Collectorates	400	0	0
Expended by the Collectors of the Concan, Poona, and Ahmednuggur Collectorates, and their Assistants, estimated at.	42,000	0	0
But from this should be deducted the amount payable to the Superintendent and his Assistants and Establishment, being an increase under the new plan of Rupees 1,593 per mensem, or per annum	19,116	0	0
Total....Rupees	1,07,693	0	0

10. From the above it will be perceived that a considerable Fund will be available for effecting improvements throughout the country, without entailing any additional expense on Government. The Governor in Council trusts that this Fund will be sufficient; but should it not be so, the deficiency must be made up by a percentage on the Extra Revenue derived from Land and Sea Customs.

11. Under the plan now approved for repairing and constructing Public Works, the arrangement sanctioned by my letter of the 11th October 1832,* vesting the Collectors and their Assistants with discretionary power to expend certain sums on that account is, in a great measure, superseded. Those orders, as far as they are applicable to the Collectorates of Tanna, Rutnageeree, Poona and Ahmednuggur, are therefore rescinded.

12. The Governor in Council thinks it desirable, however, that the Collectors of those Zillahs, the Superintendent of Tanks, &c., and their Assistants, should have authority to expend a certain sum each per annum, in effecting improvements, without making a previous reference for sanction. The following sums are accordingly placed at their disposal for that purpose, viz:—

Each Collector, per annum	Rs.	1,000 × 4	Rs.	4,000	0	0
First Assistant, ditto	„	600 × 4	„	2,400	0	0
Every other Assistant, ditto.....	„	400 × 12	„	4,800	0	0
Superintendent of Tanks, ditto			„	12,000	0	0
Each Assistant, ditto . .....Rs.		400 × 8	„	3,200	0	0
			Rupees	26,400	0	0

It will be, however, requisite, that a report should be made to you of the mode in which the foregoing sums may have been expended.

13. The Governor in Council having the fullest reliance on your judgment and energy, is pleased to place under your control the remainder of the Fund, whence you are to sanction such sums as may appear to you expedient for the construction or repair of Tanks, Bunds, and other works of a like nature. You are to report to Government whatever disbursements may be sanctioned by you under these instructions.

14. Should this plan be found, on a fair trial, to work with efficiency, another Superintendent may hereafter be appointed over the Collectorates of Goojràth and Khandesh. As Mr. Boyd has shown so much ability in superintending Public Works, the Right Honorable the Governor in Council is unwilling at present to interfere with his arrangements, further than in sanctioning the appointments, as proposed by you, of two Engineer Officers for his Collectorate.

15. The Superintending Engineer Officer employed on this duty is to be entirely under your control. It is the intention also of Government, that all the Roads in the Tanna, Rutnageeree, Ahmednuggur, and Poona Collectorates, should be placed under that Officer's superintendence; but on this subject, you will receive a separate communication from the General Department, to which the question properly belongs.

I have, &c.,
L. R. Reid,
Secretary to Government.

Bombay Castle,
4th September 1835.

* See at page 963.

TANKS, WELLS, &c.—Orders as to the amounts which Uncovenanted District Deputy Collectors can sanction for the Construction or Repairing of ——. *See Government Resolutions No.* 6183 *of* 22*nd September* 1852, *and No.* 7028 *of* 30*th October* 1852, *under* " Deputy Collectors."

TANKS, WELLS, &c.—Instructions respecting the Appropriation of the Funds annually at the disposal of the Collectors and their Assistants, for the construction of —— for purposes of Irrigation.

No. 3028 of 1834.

Territorial Department—Revenue.

To T. N. BABER, Esq., Principal Collector.

SIR,—I have the honor to request you will have the goodness to call the attention of your Assistants, who are in the Districts, to the Government instructions (dated 11th October 1832), regarding the Repair of Wells and Tanks, &c., communicated from this Department, under date the 15th October 1832.

Note.—The orders given in this letter, apply to sanctions given under the Government Authority of 4th September 1835 also.

2. When money is expended on such works, it should sometimes be given as a donation, and sometimes advanced as a loan. Whether security should be taken for the loan must depend a good deal upon local circumstances, of which the Disbursing Officer will be the best judge, but, in most cases, I conceive security should be taken. The period of repayment should also be settled in reference to circumstances elicited at the investigation which the Assistant will naturally make before he issues an order for the outlay; but, in ordinary cases, that period should not exceed three years.

3. Natives are often clamourous for assistance to repair Village Wells, and to construct agricultural works, and after their wishes are complied with, that respecting which they were recently so importunate becomes an object of indifference to them. A work being sanctioned, care should be taken that it is early commenced, and means adopted by the European Officers to watch their progress to completion, and to see that the accounts of the expense are regularly kept, and that the money was judiciously and honestly appropriated. In a letter to your predecessor, dated 29th June 1833, Mr. Scott started some questions on this subject; and if similar ones have occurred to any of your Assistants, I hope the above explanations will answer them.

4. Your Assistants should remember how much these Districts may be improved by means of works calculated to call for the latent powers of the soil, and that, for suggestions having that object in view, Government is principally dependent on their discernment and activity. When the proposed improvements involve much expense, they should carefully weigh the chance of failure against that of success,

bearing in mind that Native *Public* Officers are as liable to underrate the benefit as the Ryuts immediately concerned are to over-estimate it.*

I have, &c.,
T. WILLIAMSON,
Revenue Commissioner.

Poona, Rev. Com.'s Office,
15th October 1834.

TANKS, WELLS, &c.—Sums allowed by the Orders of 4th September 1835, for the Repair of —— in any one year, and remaining unexpended, not to be carried to the credit of the next year.

Extract, being para. 2 *of a Letter from Government to the Revenue Commissioner S. D., dated* 18*th December* 1845, *No.* 3845.

"Para. 2. It is, however, not the intention of Government that the sums sanctioned in any one year for the purposes above alluded to remaining expended in that year should be appropriated in the next, or that a running account as exhibited by the Collector should be kept up. You will, therefore, I am desired to request, issue such instructions as may be necessary to prevent the Collector of Ahmednuggur, or any other Collector, from considering, that a running Fund, at a certain rate per annum, is to be instituted for such expenditure."

TANKS, WELLS, &c.—Statements of Expenditure for Repairs to —— out of the Funds annually at the Local Officers' disposal, how, and when to be submitted, &c.

Extract, being para. 3 *of a Letter from the Civil Auditor, No.* 283, *of the* 24*th June* 1844, *on the subject of the Half-Yearly Statements of Expenditure on account of Wells, Chowrees, &c.*

"Para. 3. As it is very desirable that uniformity should be observed throughout all the Collectorates in respect to these charges, I beg to suggest that the plan proposed in the 4th para. of Mr. Pringle's letter, a copy of which is herewith transmitted, and which is in accordance with the 2nd para. of your communication to the Acting Collector of Poona, No. 760, dated the 10th instant, be generally adopted. The Half-Yearly Statements,† however, instead of being forwarded to Government as is proposed by Mr. Pringle, should be sent direct to this Office, where they would be retained for the purpose of comparing the charges entered in the accounts, and the Collector would be advised by letter of their receipt."

Extract of a Letter from R. K. Pringle, Esq., Revenue Commissioner N. D., dated 17*th April* 1844.

"Para. 4. It appears to me that the best mode of remedying these inconveniencies would be to require all sums authorised by Collectors or their Assistants to

* These orders were approved of by Government, under date 31st October 1834, No. 2968.

† By Government Orders, dated the 7th August 1851, No. 8042, these Statements are required to be rendered *Annually*.

be expended on public works to be entered in the Return for the half year, within which they are authorised, and that these Returns should be forwarded to you by Government, to whom they would be submitted through this Department, and that they should be received by you only in the light of sanctioned estimates, the actual disbursements on account of them being charged in the accounts as they occur, and supported by a reference to the Return in which the works were sanctioned as authority for incurring the expenditure, and by receipts as vouchers for the sums charged.*

(True extracts)

D. A. BLANE,

Revenue Commissioner S. D.

* See also the Revenue Commissioner's Circular, No. 1504 of 1846, under "*Bills.*"

STATEMENT

(Form of Annual Tabular Report at present generally adopted by the Collectors.—March 1856.*)*

STATEMENT *of Charges incurred on account of the Construction and Repairing of Tanks, Wells, &c., sanctioned by the Collector and his Assistants in the* ——— *Collectorate, from* 1*st May* 185— *to* 30*th April* 185—, *under the Government Orders of the* 4*th September* 1835.

Officers by whom Authorised.	Talookas.	Villages.	Description of the Works.	Amount.	Remarks.
1	2	3	4	5	6
By the Collector	....	....	....		(The amount contributed, in either money or labour, by the Villagers, should be specified in this column. The *progress* of each work should also be here noticed.)
			Total..		
First Assistant Collector, (and so on)	....	....	....		
			Total..		
			Grand Total..		

ABSTRACT *showing the Sum sanctioned by each Officer during the Year, in contrast with the Amount which he is authorised to expend during the same period.*

Officers by whom Authorised.	Authorised Sum for each Year.	Amount sanctioned during the Year.	Balance remaining Unexpended.
By the Collector			
Sub-Collector			
First Assistant Collector....			
Second Assistant Collector..			
Third Assistant Collector ..			
District Deputy Collector ..			
Total..			

A. B.
Collector.

Circular.

No. 793 of 1852.

From E. G. FAWCETT, Esq., Revenue Commissioner N. D.,

To all the COLLECTORS.

SIR,—With reference to my predecessor's Memo. No. 2738, of 4th October last, I have the honor to request, at the desire of the Acting Civil Auditor, that an Annual Return of Expenditure on account of Tanks, Wells, &c. (in the form now in use), incurred under the discretional authority of the Collector and his Assistants, may be transmitted through this Department, immediately after the close of each official year, viz. 30th April.

I have, &c.,

Rev. Com.'s Camp, Tanna Districts, Boregaum, dated 8th April 1852.

E. G. FAWCETT,
Revenue Commissioner N. D.

Circular.

No. 1344 of 1854.

From E. G. FAWCETT, Esq., Revenue Commissioner N. D.,

To all the COLLECTORS.

SIR,—I have the honor to request your particular attention to my Circular No. 793, dated 8th April 1852, that the Return of the expenditure incurred for the Construction or Repair of Tanks and Wells should be forwarded immediately after the close of the official year, as in some instances the document has been transmitted at such a late period as to cause great inconvenience.

2. Any reference made by this Department for further information, &c., should be replied to without delay.

I have, &c.,

Rev. Com.'s Office, Nassick Districts, Camp Teesgaum, 22nd May 1854.

E. G. FAWCETT,
Revenue Commissioner N. D.

TANKS, WELLS, &c.—The sanction of *Government* to any Disbursements authorised by Collectors and their Assistants for Constructing or Repairing ——, under the Orders of 4th September 1835, not necessary. Such disbursements to be included in Statement J. (of "Public Works") furnished with the Collectors' Jummabundy Reports, &c. &c.

No. 9456 of 1851.

Territorial Department—Revenue.

To E. G. FAWCETT, Esq., Revenue Commissioner S. D.

SIR,—With reference to your Memo. No. 3225, dated 9th instant, submitting a letter from the Collector of Ahmednuggur, I have been directed by the Right Honorable the Governor in Council to inform you that the sanction of Government to any of the items of expenditure on account of Tanks, Wells, &c. incurred under

Government letter of 1835 by Collectors is not necessary, and the sanction of the Revenue Commissioner is only required in cases where a larger sum than Rupees two hundred (200) is to be expended; consequently the signature of the Revenue Commissioner at foot of the Statements will, in future, render those Statements capable of being received in the manner authorised in para. 2 of Government letter No. 2118, of 1st July 1844, viz.—as sanctioned estimates, the actual disbursements being supported by Receipts as Vouchers for the same.

Sole Revenue Commissioner's letter of 15th September 1832. Government reply of 11th October 1832.

2. The authority of 11th October 1832, modified, as regards some Collectorates by Government Order of 4th September 1835, establishing the Road and Tank Department, renders unnecessary that any item of expenditure incurred under that sanction should be brought to account as an Unadjusted Advance; all items can be at once finally brought to account under their proper head, no further sanction on the part of Government being necessary; the Civil Auditor will of course see that the rules relative to total expenditure and limit as regards particular items* are observed as he does at present.

* *i. e.* not to exceed Rs. 75 for a Chowree; nor to exceed Rs. 200 for any work, without previous sanction of the Revenue Commissioner.

3. The transmission of Reports, whether annually or half yearly, to Government, may be dispensed with, the items of expenditure being exhibited in Statement J, appended to the Collectors' Annual Reports with asterisks affixed thereto, so as to show that the disbursements have been made by the Collector and Assistants on their own authority, under the Standing Orders of 1832 and 1835.

I have, &c.,
A. MALET,
Chief Secretary to Government.

Bombay Castle,
29th September 1851.

TANKS, WELLS, &c.—Form of Statement J. to accompany Collectors' Jummabundy Reports, showing the Charges incurred on account of Repairs to ——.

No 607 of 1854.

Territorial Department—Revenue.

From E. G. FAWCETT, Esq., Revenue Commissioner N. D.,
To H. E. GOLDSMID, Esq., Secretary to Government.

SIR,—As several Collectors seem to have misunderstood the description of statement required by para. 3 of Government letter No. 9456, dated 29th September 1851, I beg to submit, for the approval of the Right Honorable the Governor in Council, a Form* of Statement J, previous to circulating it for adoption by the Collectors. Government works being placed as proposed seems to render needless the use of asterisks.

I have, &c.,
E. G. FAWCETT,
Revenue Commissioner N. D.

Rev. Com.'s Office, Camp Dhoolia,
24th February 1854.

* This Form was approved of by Government, under date the 24th March 1854, No. 1534.

FORM J.

STATEMENT *of Charges incurred in Constructing and Repairing Tanks, Wells, &c., in the* ——— *Collectorate, under special sanctions from Government, and the authority of the Collector and his several Assistants, during the Year* 185—5—.

By whom Authorised.	Talooka.	Village.	Description of Work.	Date of Sanction.	Amount Sanctioned.			Amount Expended.			Amount of Contributions by Villagers.			Remarks.
					Rs.	a.	p.	Rs.	a.	p.	Rs.	a.	p.	
Government	....	..	....											
Collector	....	..	....											
First Assistant....	....	..	....											
Second Assistant, (and so on)	....	..	....											
			Grand Total.											

ABSTRACT.

Amount expended under the sanction of Government.....	Rs.	0	0	0
Do. under the authority of the Collector.	,,	0	0	0
Do. First Assistant Collector	,,	0	0	0
Do. Second Assistant Collector	,,	0	0	0
Do. Third Assistant Collector.....	,,	0	0	0
Do. District Deputy Collector.....	,,	0	0	0
Total	Rs.	0	0	0

Collector's Office,

A. B.,
Collector.

TANKS, WELLS, &c.—Collectors of Nuggur, Sholapoor, Belgaum, and Khandesh, authorised to disburse Rs. 5,000 for —— and other Works of Irrigation, &c. &c. *See Government Resolution No.* 2023 *of* 1854, *under* "Irrigation."

TANKS, WELLS, &c.—When Outlays are sanctioned for Repairs to —— for local, and not general, objects, the Inhabitants of the Village should be required to contribute in either money or labour, according to their ability.

No. 5213 of 1847.

Territorial Department—Revenue.

To E. H. Townsend, Esq., Revenue Commissioner S. D.

Sir,—I am directed by the Honorable the Governor in Council to acknowledge the receipt of your letter No. 2428, dated the 27th September last, and to inform you that the Statement, therewith submitted, of expenditure on account of Repairs to Tanks, Wells, &c., in the Belgaum Collectorate during the half year ending 31st December 1846, amounting to Rupees (376-13-0) three hundred and seventy-six, and annas thirteen, has been forwarded to the Civil Auditor.

2. I am desired to remark that almost every case included in this Return of expenditure has been incurred for purely local purposes, without the parties benefitting thereby making any contribution in money or labor, and to request, therefore, you will direct the Collector to maintain for the future the salutary rule, that when money is expended for local, and not general, objects, the inhabitants should contribute either in money or labor, according to their ability.

I have, &c.,

Bombay Castle,
16th December 1847.

H. E. Goldsmid,
Secretary to Government.

Extract paras. 65 *and* 66 *of a Despatch from the Honorable the Court of Directors, No.* 22, *dated the* 29*th June* 1853.

"Para. 65. We approve of the sanction given to the works here reported in the Kaira Collectorate, as well of the general intimation made to the Revenue Commissioner Southern Division, 'that where moderate sums can be advantageously laid out in damming up small streams and extending irrigation, Government would be prepared to sanction the outlay on your recommendation.'

With reference to former correspondence, transmits correspondence containing information called for as to the Repairs required to Wells and Reservoirs on the Main and Cross-Roads under the Bombay Presidency, and as to the assistance to be expected from individuals and from Villages towards placing them in good order. Of the seven Districts from which Returns have been received, in one only, viz. Kaira, was any assistance required from Government beyond what could be afforded under the discretionary authority formerly placed in the hands of the Collector for making small disbursements on local subjects. In the Kaira District the Repair of certain Wells and Tanks, urgently required for the use of Travellers, was sanctioned at a cost of Rupees 3,561.

"66. As a general rule, the co-operation of the Villagers should be made a condition of your assisting in those works which are designed to promote

local interests, as well as the comfort of travellers. This is desirable with reference to the spirit of self-reliance that it tends to foster, as well as on pecuniary grounds; and it should, therefore, be urged even in cases where the people may not be in a condition to contribute any large proportion of the cost of the proposed works."

(True extracts)
A. RICHARDSON,
Deputy Secretary to Government.

TANKS, WELLS, &c.—The Funds annually at the disposal of an Assistant, under the Orders of 4th September 1835, for Repairs to ——, not to be drawn on by the Collector, and *vice versâ*.

Extract, being para. 2 of a Letter from Government to the Revenue Commissioner S. D., No. 1546, dated 14th May 1847.

"Para. 2. Adverting to your 4th and 5th paras., I am desired to acquaint you, that His Honor in Council does not think the Collector should be allowed to draw on the Fund of an Assistant, or an Assistant on the Fund of the Collector. If either should wish to order any work for which he has no available funds, the proper course would be to apply for the sanction of Government."

TANKS, WELLS, &c.—It is not necessary that the Sums placed at the disposal of Collectors and their Assistants for Repairs to —— should be expended, before *special* sanctions for such Works are applied for.

Extract, being, para. 1 of the Revenue Commissioner's Letter to the Collector of Dharwar, No. 1947, of 16th April 1850.

"Para. 1. In acknowledging the receipt of your memo. No. 485, dated the 2nd instant, relative to the Repairs required to the Tank at 'Gondee,' I have the honor to request that you will inform me whether there is any, and what, balance of the sum placed at Mr. ——'s disposal, under the Orders dated 4th September 1835, available for the work."

Extract, being para. 2 of a Letter from the Collector of Dharwar to the Revenue Commissioner S. D., dated 22nd April 1850, No. 595.

"Para. 2. You shall be informed, in all future references for sanction for Repairs of Tanks, whether there is any balance under the above order* at our disposal; but I beg respectfully to express my hope that you will not require us to disburse any part of that sum for works for which we apply for sanction through you, because there are always many instances in which, by granting a portion of this sum immediately, we obtain great advantages which would be lost by delay, and, I think, that we should be permitted to exercise our own discretion entirely in disposing of the small allowance at our command."

* Government Orders of 4th September 1835.

Extract, being para. 2 of a Memo. from the Revenue Commissioner S. D. to Government, dated 9th May 1850, *No.* 2312.

" Para. 2. A letter from this Department to the Collector of Dharwar, dated the 16th ultimo, No. 1947, with that Officer's reply thereto, of the 22nd idem, No. 595, is appended; and the instructions of His Lordship in Council are respectfully solicited on the proposition contained in the 2nd para. of the latter communication."

Extract, being para. 2 of Government Letter No. 4142, *to the Revenue Commissioner S. D., dated 20th May* 1850.

" Para. 2. The Collector, in para. 2 of his letter, dated the 22nd ultimo, No. 595, takes a correct view of the wishes and intentions of Government."

TANKS, WELLS, &c.—Applications for sanction for repairing —— to be sent up sufficiently early to admit of the Works being completed before the Monsoon. *See Extract para. 2 of Government Letter No.* 1964 *of* 1846, *under* " Wells and Tanks."

TANKS, WELLS, &c.—Sanctions given for Repairs to —— to be recalled if the Works be not commenced within twelve months, &c. *See Government Letter No.* 2455 *of* 1844, *under* " Public Works."

TANKS AND WELLS—Village Contributions towards —— not used for *Irrigation* purposes, how to be regulated.

Extract, being para. 2 of a Letter from Government to the Revenue Commissioner S. D., dated 3rd November 1848, *No.* 3876.

" Para. 2. In reply, I am directed to observe, that when Tanks are intended not for Irrigation, but merely for supplying water for drinking or domestic purposes, the justice of requiring the Inhabitants of the Village in which they are situated to contribute any fixed portion of the outlay must depend on the proportionate benefit which they may derive from the Tanks, compared with that which the Public in general may derive."

TANKS AND WELLS.—Orders regarding the recovering of Subscriptions of Ryuts towards Local Improvements.

Extract para. 3 of a Letter from the Revenue Commissioner to Government, No. 2152, *of 28th October* 1849.

" Para. 3. The Collector's reply to my 3rd question I do not consider satisfactory. As a general rule, when private individuals consent to furnish a portion of the Funds for the performance of any local improvement, I am of opinion that proper security should be taken from them for the fulfilment of the agreement, before the undertaking is commenced."

Extract para. 2 of a Letter from Government to the Revenue Commissioner, No. 6882, of 15th November 1849.

"Para. 2. His Lordship in Council considers that a better arrangement than that recommended in the 3rd para., would be to advance, as Tuggài, a sum equivalent to the amount to be contributed by Villagers towards works executed for their advantage; and, having entered the amount against the several Subscribers, according to the fractional shares they have agreed on, to recover it as a Revenue demand, according to fixed instalments. This is the plan which has been introduced in some of the Collectorates under this Presidency, and should, in the opinion of His Lordship in Council, be adopted in all."

TANKS AND WELLS.—The Cost of Repairs to *Public Buildings* to be excluded from the Annual Returns of Sanctions given by the Local Authorities for the Repairing or Constructing of ——.

No. 1242 of 1852.

To the REVENUE COMMISSIONER N. D.

SIR,—In reply to your letter No. 1711, dated the 19th ultimo, I have the honor to inform you that, while Mr. Havelock was encamped at Nowapoor in April last, the Mahalkurree brought to his notice that the Pettà Kutcherry was in a very delapidated state, and that in consequence of a fire which had recently burnt down a portion of the shed under which the Kutcherry business was transacted, there was not even shelter to keep off the rain in the Monsoon. This Kutcherry is a small building which was formerly occupied by a Shaikdar, and is, therefore, inadequate to the purposes of a Mahalkurree's Kutcherry; but as it would take some time to provide a more commodious Kutcherry, Mr. Havelock, after having satisfied himself by actual inspection of the emergency of the occasion, gave an order for the disbursement of Rupees (40) forty from the sum at his disposal for the Repair, &c., of the Wells and Chowrees, to tile in the Kutcherry, thereby obviating the inconvenience, and which the Mahalkurree's establishment would otherwise have experienced, and the damage which the public records would have sustained in the rains. Mr. Havelock considers this departure from the rule, (as it was strictly for the good of the Public Service,) was warranted by the latitude granted in the Government letter No. 7146, dated the 15th November 1848.

I have, &c.,

Khandesh, Collector's Camp, Dhurrungaum, 26th July 1851.

A. ELPHINSTON, Collector.

(Memorandum forwarding the above.)

No. 2185 of 1851.

Territorial Department—Revenue.

Submitted for the approval of Government, and eventual transmission to the Civil Auditor.

2. The Revenue Commissioner does not agree with the Collector in thinking that the instructions* of Government, dated 15th November 1848, No. 7146, authorise the Repair of *Public Buildings;* but rather, if the matter was *emergent,* the Collector should have performed the work as such, and forwarded the Bill of expenditure for the sanction of Government.

A. N. SHAW,
Revenue Commissioner N. D.

Rev. Com.'s Office,
Poona, 7th August 1851.

No. 8839 of 1851.

Territorial Department—Revenue.

To A. N. SHAW, Esq., Revenue Commissioner N. D.

SIR,—I have been directed by the Right Honorable the Governor in Council to inform you, that the Statement of Expenditure amounting to Rupees (4,361-13-0) four thousand three hundred and sixty-one, and thirteen annas on Tanks, Wells, &c., in the Khandesh Collectorate, for the half year ending on the 30th April 1851, submitted with your memo. No. 2185, dated the 7th ultimo, has been passed and sent to the Civil Auditor.

2. You are quite correct in the opinion given in your 2nd para. There is a wide difference between a work for Irrigation and a Kutcherry.

I have, &c.,
H. E. GOLDSMID,
Secretary to Government.

Bombay Castle,
5th September 1851.

TAXES—No aid to be given to the Holders of Alienated Villages in realising abolished ——.

Circular.

No. 4069 of 1843.

Territorial Department—Revenue.

To all the COLLECTORS.

SIR,—The Honorable the Governor in Council desires me to instruct you, with reference to the discretionary power vested in you by Clause 2, of Section XXVI. of Regulation XVII. of 1827 (made applicable to such cases by Section XXIX.), not in any way to aid in the realisation of their Revenue the Holders of Alienated

* In reply to your Memo. No. 2131, dated the 30th ultimo, on the letter from the Collector of Khandesh, No. 1626, of the 24th idem, with enclosure, I have been directed to acquaint you, that there does not appear to the Right Honorable the Governor in Council any sufficient reason why the trifling expenditure therein alluded to, should not be made from the sums annually placed at the disposal of the Collector and his Assistants. I am, therefore, desired to request that you will instruct Mr. Elphinston to make provision for the necessary funds from thence, should he consider the outlay desirable.

Villages who desire to enforce payment of Taxes, or extra Cesses which have been abolished in the District as a general measure.

I have, &c.,
L. R. Reid,
Chief Secy. to Government.

Bombay Castle,
9th December 1843.

TEMPLES.—Orders regarding the Management of —

No. 3558 of 1853.

Territorial Department—Revenue.

To the Revenue Commissioner S. D.

Copy of the Resolution passed by Government, under date 17th June 1853, on a Memorandum No. 1353, dated the 23rd May 1853, from the Revenue Commissioner S. D., submitting, for the consideration and orders of Government, a Letter from the Collector of Rutnageeree, No. 1759, dated the 6th September 1852, with accompaniment, regarding the Management of the Temples in his Collectorate.

The opinions expressed by the Revenue Commissiner Southern Division have the full concurrence of Government, and should be acted on.

A. Malet,
Chief Secretary to Government.

No. 1353 of 1853.

Territorial Department—Revenue.

Submitted for the consideration and orders of Government.

2. In the memorandum of 3rd July 1849 (to which Mr. Coles refers), founded on the Government letter of 18th May 1841, No. 1637, Mr. Townsend directed the Collectors of the Division to take steps for the appointment of Committees to manage the funds of *every* Temple, large and small, in their several Collectorates, except in the case of Temples built by private individuals at their own cost, and endowed by the State, the allowances granted having been received by the founder, and having continued since to be expended by him and his heirs.

3. These instructions appear not to have been uniformly acted on. The Collector of Poona, Mr. Jones, reports the practice in his Zillah to be similar to that described by the Collector of Rutnageeree, the larger endowments only being entrusted to Committees, and thinks that to give over the management of all, however trifling their funds may be, would do more harm than good.

Report, dated 12th October 1852, No. 2714.

4. The First Assistant in charge of Ahmednuggur, Mr. Gray, stated that in that Collectorate, all Dewusthans, however trifling, are under a Committee; and that, on again referring to know whether Committees should be appointed

Report, dated 27th October 1852, No. 1885.

to those paid out of the Village Contingent Fund, and others of trifling amount, he was informed in Mr. Commissioner Townsend's Yàdee of 22nd of December 1849, that they should; but that in the former, some person might be appointed to act in concert with the Village Officers, and in the latter, there was no objection to a single Committee managing several Dewusthans in the same Village. Mr. Gray further reported that these orders had since been acted on, as far as he was aware, without complaint or inconvenience.

5. Mr. Law, the Collector of Dharwar,* and Mr. Inverarity, Collector of Belgaum,† report that in their Zillahs, Mr. Commissioner Townsend's instructions have been carried out, and Committees appointed to all Dewusthans, however trifling, except in the cases especially provided for in his memorandum as explained above in para. 2., and that they are not aware of any inconvenience having arisen in consequence.

* Report, dated 15th November 1852, No. 1702.
† Report, dated 20th November 1852, No. 841.

6. Mr. Loughnan, Collector of Sholapoor, states that, in all the Mahratta Talookas of his charge, except Kurmulla, where proceedings are still in progress, Committees have been appointed to all Temples, great and small; but that "in the remaining Districts, south of the Bheema, the Committees have only been nominated to exercise that control which Government formerly exercised over those Temples, the affairs of which were, heretofore, in part superintended by Government officials." Mr. Loughnan further states, he is "of opinion that the orders of Government and the Honorable Court called only for a transfer of all interference by Government functionaries where such hitherto existed, to Committees; and that the measures adopted by the Local Authorities in the Mahratta Talookas should not be upheld where they may be objected to by a majority of the inhabitants of the Villages, being persons whose religion connected them with the Temple." He thinks it would be impolitic now to rescind what has been done, and would allow the Kurmulla Mamlutdar to complete the proceedings in progress in his Talooka till complained against.

Report, dated 10th May 1853, No. 362.

7. The Revenue Commissioner is disposed to agree in the view of the case taken by the Collectors of Rutnageeree, Poona, and Sholapoor: the object in view in directing the management of the affairs of Temples and other Native religious endowments to be transferred to Committees, was, obviously, to enable Government to withdraw from that interference in their concerns hitherto exercised by them; but it could scarcely, he thinks, have been in contemplation to introduce any change of system in cases in which no such interference had hitherto been employed, as that would have been, to such extent at least, to do that which it was the special design of the arrangements then introduced, to avoid.

8. He thinks the existing arrangements introduced into the several Zillahs, where not complained against, should be allowed to stand good; but that in those

cases in which Government has not hitherto interfered, to have Committees appointed, unless for special reasons, no further steps need be taken for the purpose, and things be allowed to remain as they are.

W. COURTNEY,
Revenue Commissioner S. D.

Rev. Com.'s Camp, Nehr,
25th May 1853.

TEMPLES—Orders regarding the filling up of Vacancies in the Committees appointed to manage the Affairs of ——. *See Government Resolution No.* 3591 *of* 27*th July* 1854, *under* "Religious Establishments."

TEMPLES—Government have no desire to interfere in the Management of the Funds of ——, but consider that the just rights of Poojàrees should be upheld. *See Extract paras.* 1 *and* 2 *of Government Letter No.* 4569, *of* 10*th June* 1850, *under* "Religious Institutions."

TEMPLES—Allowances to —— to be paid by District Officers without limitation as regards amount; and those to Poojàrees to the extent of Rupees 300 per annum and under. Allowances to Poojàrees beyond that sum to be paid from the Hoozoor. *See Revenue Commissioner's Letter No.* 1493, *of* 11*th March* 1850, *under* "Allowances."

TEMPLES—Names of the Poojàrees of ——, claiming Allowances from Government, not to be entered in the Public Accounts. *See Government Circular No.* 4673, *of* 30*th September* 1845, *under* "Poojàrees."

TEMPLES—Orders as to the mode in which Jodee Dewusthan Holdings should be treated. *See Government Resolution, of* 19*th February* 1855, *No.* 760, *under* "Jodee Lands."

TEMPLES—The sanction of Government to the erection of Temples, or other Religious Edifices, on Government ground, declared necessary.

Notification.

Territorial Department—Revenue.

The Right Honorable the Governor in Council is pleased to notify, for general information, that persons desirous to erect Temples or other Religious Edifices on Government ground, must previously intimate their intention to, and obtain the sanction of, Government; and that the usual exemption from rent, or assessment, in favor of land on which such buildings have been erected, will not be granted in cases where this rule may not have been attended to.

By order, &c.,
L. R. REID,
Secretary to Government.

Bombay Castle,
27th December 1833.

TENANTS of Land put into possession by Revenue Courts under Act XVI. of 1838, can only be Ejected by a Decree of a Court of Adawlut: the Revenue Commissioners cannot interfere with the decisions of Revenue Courts, &c. *See Extract para.* 1 *of Government Resolution No.* 6952 *of* 23*rd December* 1851, *&c., under* "Suits."

TENANTS—The parties who are entitled to have their Names entered in the Government Books as the —— of Land, hitherto held in Inam by Zummindars, but which are now declared to be Khalsat, though continued as Life-grants to the Zummindars, &c. *See Government Letter No.* 11834 *of* 1851, *under* "Inams."

TENANTS—Whether Collectors can Eject —— at-will, or Sub-Tenants holding for a term of years under special agreement, &c.

Extract, being paras. 1, 2, 3, 5, *and* 6 *of a Letter from Government to the Revenue Commissioner S. D., dated the* 17*th November* 1852, *No.* 7444.

"Para. 1. In reply to your memorandum, No. 1921, dated 13th August last, and its accompanying report by the Collector of Sholapoor, on the Petition of Suddasewappa wulud Busungowda, Patell of Mungolee, I have been directed to observe, that *above the Ghats* every Tenant's possession is considered to end each year, to be renewed again the next, as he holds only by the will of the occupant (as defined by Regulation XVII.) from year to year, or he is viewed as not in possession at all, and thus the Occupant is the party to be considered in possession so long as the under-tenant continues as *Tenant-at-will.*

"2. And, it follows that the occupant or superior holder is not dispossessed until the Tenant-at-will refuses, when called upon, to give up the land; and if the Occupant petitions the Collector to put him in possession within six months of the commencement of the year from which the dispossession is held to date, the Collector is competent, under Clause 2 of Section I. of Act XVI. of 1838, to turn the Sub-Tenant-at-will out, and give over the land to the Occupant.

"3. This was the course adopted by Mr. Townsend in the present case, and a perfectly correct one in the opinion of the Right Honorable the Governor in Council.

* * * * * * *

"5. As to Petitioner's claim, it is clear that the Collector cannot now help him to recover the balance. The Collector should have assisted the Petitioner to recover, from the Sub-Tenants, the sum due by them for the year 1848-49, before the close of the Revenue year; but not having done so, there appears nothing for it now but to refer the Petitioner to the Civil Court for recovery of any demand he may have against them.

"6. If a Tenant put in for a year, or from year to year, cannot be got rid of without a suit in Court, land will never be coveted as an investment for capital, and that is merely equivalent to saying, that the country will never progress."

No. 3198 of 1853.

Territorial Department—Revenue.

To the Revenue Commissioner S. D.

Copy of the Resolution passed by Government, under date the 1st June 1853, on Endorsement from the Revenue Commissioner S. D., No. 1196, dated the 5th May 1853, submitting a Letter from the Collector of Poona, inquiring whether he would be justified in summarily Ejecting a Tenant on an application from the Occupant within the stipulated time after the close of a year, when that Tenant can prove that he holds the land by Agreement for ten years, only two of which have elapsed.

The Collector most certainly would not be justified in summarily ejecting a Sub-Tenant holding under an agreement for ten years. He is not a Tenant-at-will, holding from year to year, without any engagement beyond the permission of the Occupant, but holds for a term of years, under a special agreement, and the Collector should, of course, uphold such an agreement.

2. The instructions of 17th November 1852 are distinctly limited to the cases of *Tenants-at-will* holding merely from year to year, and do not refer at all to Tenants holding on distinct engagements which, of course, must be upheld, wherever met with. And one object of the instructions was to induce the Sub-Tenants to take written agreements from their Principals, as a Farmer does from a Landlord at Home, so as to prevent all doubts as to their respective rights.

H. E. Goldsmid,
Secretary to Government.

No. 1628 of 1853.

Territorial Department—Revenue.

From W. Courtney, Esq., Revenue Commissioner S. D.,

To A. Malet, Esq., Chief Secretary to Government.

Sir,—I have the honour to submit the following Summary of Reports received from the Collectors of the Surveyed Districts of this Division, on the question of the Rights of Occupants of Land and their Sub-Tenants, alluded to in the 34th para. of my letter, dated the 13th April last, No. 937, transmitting the Dharwar Jummabundy Report for 1851-52.

2. The Collector of Belgaum states he has found no difficulty in maintaining the Cultivator in whose name any field or share of a field on whatever tenure held is entered in the Village Cultivation Returns, as the holder or occupant of such field or share. He upholds an occupant in ejecting his "Tenant-at-will" who holds from year to year, provided the occupant petitions to be put in

Report, dated 4th May 1853, No. 334.

possession within six months of the commencement of the year, from which dispossession is held to have dated. He also respects the rights of co-heirs in an ancestral field, and respects also the rights of those who hold under Government Ryuts, on written Leases or Bonds, for terms of years; and he concludes his report by expressing his opinion that the modifications proposed by the Second Assistant Collector of Dharwar are unnecessary.

3. The Collector of Sholapoor, Mr. Loughnan, reports that he has heretofore considered the Registers prepared by the Survey subject to such modifications as are permitted by the Survey Rules, and by Decrees of Civil Courts, when not opposed to the restrictions contained in those Rules against the sub-division of whole Fields as sufficient evidence as to the rights of contending parties in all matters coming within the Collector's cognizance as Collector. From the correspondence quoted in the margin, however, he now considers, that in cases where Sub-Tenants, whose names are not borne on the Registers, continue to hold against the will of the registered holder, they may be ejected under the provisions of Clause 2, Section I. of Act XVI. of 1838, taking the commencement of the season of cultivation as the term from which is to be calculated the period of six months within which alone the Act permits adjudication under it. He further remarks that the Collector does not recognise any Bonds or Deeds or even Decrees of Courts regarding the right to possess lands, unless they have been rendered complete by a necessary transfer, in accordance with the Survey Rules in the Registers.

Report, dated 12th May, No. 366.

Government Letter No. 7444, of 17th November 1852.
Government Resolution No. 1213, of 25th February 1853.

4. Mr. Bell, the Acting Collector of Ahmednuggur, writes as follows:—

Report, dated 18th May, No. 829.

"The Survey Rules quoted by Mr. Stewart, with the interpretation which the Government letter and resolution, noticed by the Collector of Sholapoor, have placed upon Clause 2 Section I. of Act XVI. of 1838, are found to work perfectly well, and the modifications proposed by Mr. Stewart do not seem necessary. The registered occupant of a Field or share of a Field is to be recognised as the rightful owner by a Revenue authority, and can only be ejected by such authority in the case of a Sub-Tenant having had occupation more than six months, reckoning from the commencement of the revenue year. Occupation during the life of the registered occupant may, however, be transferred in either of two ways, viz. by the will and consent of the registered occupant, and by a Decree of a Civil Court—in both cases, subject to the provisions of the Survey Rules. As respects the modification proposed by Mr. Stewart in the 16th and 17th paras. of his report, there seems, on the above principle, to be no change necessary. A party mortgaging, or otherwise transferring, his occupation to another party, does so, as far as the Revenue Authorities are concerned, by Rule 9 of the Survey Rules absolutely, and without any

limitation as to time. If he wishes to recover occupation, according to the terms of a Mortgage Bond or other agreement, he must, if resisted, establish his title in the Civil Court. It is very inexpedient that the Revenue Authorities should become officially cognizant of any conditions between such parties, and they have no judicial authority to recognise, or enforce, any such conditions. Applying the same principle to the cases proposed in Mr. Stewart's 18th para., the claim of a Sub-Tenant should be considered by a Collector only so far as is provided by the letter and resolution of Government, quoted in the 1st para. of this Report. All claims to hold land by virtue of mortgage, gift, or inheritance, when resisted by the registered occupant, should be prosecuted in the Civil Courts ; and until a Decree in favor of the Claimant is produced, the Collector has no power to recognise such Claims."

Mr. Bell concludes with the following remarks, in reference to the report of the Collector of Belgaum, which passed through his hands in course of circulation :—

" If the Acting Collector is correct in the opinion here expressed, the Collector of Belgaum would appear to have acted on an erroneous principle in respecting the rights of co-heirs in an ancestral field, and of those who hold under Government Ryuts on written Leases or Bonds for terms of years. In both cases he would seem to usurp the powers of the Civil Courts, for he must take upon himself to judge whether the title to inherit in the one case, and the Lease or Bond in the other, be valid, and this he has no authority to do. In the former case (viz. that of the claim of a co-heir), he would appear to act in opposition to the Survey Rule 6."

5. Mr. E. C. Jones, Collector of Poona, states that, in his Collectorate, " the proprietary rights of occupants whose names are down as Holders of land, are upheld against partners and Sub-Tenants, without reference to the time of their 'Wuhiwât,' and that possession is given summarily in all cases, except when there is a crop on the ground, and then the Sub-tenant is always allowed to reap his crops before giving up the land." He further states, that "the claims of mortgagees in possession have always been respected, even when their names are not entered in the Government Books;" and that "disputes between occupants and mortgagees not in possession are left to be settled by Civil Action, the Decree being executed as a matter of course, unless it involve anything contrary to the Survey Rules. When a Field," he adds, " has once been entered in the name of one only of the heirs, the claims of co-heirs are not attended to, nor are they ever enforced in execution of a Decree of Court, but by mutual agreement amongst themselves. All sharers can be put down in the Revenue Books as occupiers, each and all becoming thereby equally liable for the Government rent of the whole estate or number. Subdivisions contrary to the Survey Rules are never enforced."

Report, dated 25th May, No. 805.

As this system has apparently worked well in the Collectorate, he is of opinion any modification of it is unnecessary.

6. I deemed it advisable before forwarding to Government the several Reports from which I have quoted above, to refer them for any observations which the Revenue Survey Commissioner might have to offer in respect to the opinions recorded by the different Collectors. Captain Wingate's reply is dated the 9th instant (No. 334); and, in appending a transcript of it, and of its enclosure, for the information of Government, I would respectfully suggest in the event of the remarks and suggestions therein submitted being concurred in by His Lordship in Council, that the Revenue Survey Commissioner be requested to prepare an authorised interpretation of the Rule in question, and that the same be translated into the Vernacular, and be circulated for the information and guidance of the Revenue Officers, European and Native, in the Surveyed Districts of the Presidency.

See last Clause of para. 34 of my Letter, of 13th April last, No. 937.

I have, &c.,
W. COURTNEY,
Revenue Commissioner S. D.

Poona, Rev. Com.'s Office,
23rd June 1853.

No. 334 of 1853.

The Revenue Survey Commissioner deems the question as to the proper interpretation of Rule 5th of the Printed Joint Report raised by Mr. Stewart, of very great importance, both as regards the success of the Survey Settlement and the security of the Land Revenue, and seeing that there is a considerable diversity of opinion among the Collectors of Surveyed Districts in regard to the proper mode of working the Rule, he thinks it most fortunate that an opportunity has offered for obtaining a decision of Government on the points at issue, that might have the effect of securing uniformity of practice for the future.

2. The Revenue Survey Commissioner entirely concurs in the view taken by the Collectors of Dharwar and Belgaum of the proper mode of administering the Rule; and he has already had an opportunity of explaining to the latter Officer his views and wishes on the subject in a letter No. 176, dated 18th June 1852, of which he begs to append a copy for the Revenue Commissioner's information.

3. The great object of the Rules of the Joint Report is to constitute all occupied land heritable and saleable property, and, at the same time, to secure the Revenue from loss, and the permanence of the Survey arrangements, by preventing the shareholders of fields being recognised in the public accounts as occupants, except in cases provided for by the Rules.

4. To secure for the country the full benefit of the Survey arrangements, it is necessary, in the Revenue Survey Commissioner's opinion, that owners of land should have perfect liberty to do what they please with it, so long as their private

transactions in regard to its disposal do not affect the arrangements made for the realization of the public revenue. It seems to be of the utmost importance then, that the right of an occupant to mortgage or lease his land should be acknowledged; and to ensure this right becoming a valuable one, it is clearly necessary that the Survey Settlements should be administered so as to uphold the interests of mortgagees and lease-holders; and it follows from the circumstance of land under the Survey Settlements being heritable property, that the rights of possession of co-heirs of a previous occupant should also not be disturbed.

5. The Survey Rules, then, are not intended, according to the Revenue Survey Commissioner's view of them, to interfere in any way with the ordinary operations of the laws and customs of the country in regard to the disposal, inheritance, or subdivision of land; but are intended to prevent the subdivision of occupancies, which may be defined as contracts entered into with Government for the payment of the assessment fixed upon fields or estates. When two or more brothers succeed to a field held by their father, the 6th Survey Rule requires the eldest brother to be registered as the occupant, but does not in any way bar the right of the younger brothers to their shares of the inheritance. They are not permitted to engage for the payment of the assessment due on the field, with a view to prevent the trouble, expense, and loss of revenue that would inevitably result from recognizing a right in the possessor of a share acquired by a private transaction in a field or estate assessed as a whole, to pay the Revenue on his fraction of the property direct to Government, which would be destructive of the responsibility of the entire field or estate for the whole revenue assessed upon it. Shares in fields or estates held as distinct occupancies at the introduction of the Settlement are recognised; but the provisions of the "7th and 8th" Survey Rules were framed to promote the absorption of such shares, and the ultimate limitation of occupancies to fields or estates responsible for a certain assessment fixed on each, as a whole, at the Survey Settlement. By preserving the liability of each field or estate for the whole revenue assessed upon it, the field or estate may be sold entire, for arrears of revenue, free of incumbrances, when it would, if previously held in shares, come again into the possession of a sole proprietor, and to this extent the Survey Rules would operate to check the subdivision of landed property, but not in any other way.

6. The rights of an occupant, as defined by Regulation XVII. of 1827, are not a right of absolute property in the soil, but a right of engaging with Government for the land revenue due upon it; the Collector of Ahmednuggur in his discussion of the question, appears to have lost sight of this important distinction. By mortgaging, or leasing his land, an occupant transfers to another, for a certain term, his rights of possession, but not his right of occupancy, and consequently there would be no transfer of names in the Government books. The transfers provided for in the 9th Rule, are intended to facilitate sale, or the absolute conveyance of the right of occupancy, but are not intended or required for mortgages or

leases. But as both mortgages and leases under written engagements, and also successions by inheritance, convey a clear right of possession by existing laws, the Collector is bound by Act XVI. of 1838, to uphold that possession. A Tenant-at-will's possession, on the other hand, ceases on the expiration of the year for which he holds by the pleasure of the occupant; and if he holds beyond that period, in opposition to the will of the occupant, he dispossesses the latter of his right, and the Government letter and resolution quoted by the Collector of Sholapoor refer to this case alone.

Camp Poona,
9th June 1853.

G. WINGATE,
Revenue Survey Commissioner.

No. 4431 of 1853.

Territorial Department—Revenue.

To the REVENUE SURVEY COMMISSIONER S. D.

Copy of the Resolution passed by Government, under date 1st August 1853, on a Letter from the Revenue Commissioner S. D., No. 1628, dated the 23rd June 1853, submitting a Summary of the Reports received from the Collectors of the Surveyed Districts of his Division, on the question of the rights of Occupants of Land and their Sub-tenants, as also communications from the Revenue Survey Commissioner on the subject.

Captain Wingate's interpretation of the Survey Rules has the concurrence of Government, and a copy of his report No. 334, dated the 9th June 1853, should be circulated for the information and guidance of the Revenue Officers in all Surveyed Districts; it should be accompanied with a copy of Mr. Courtney's letter of the 23rd idem, No. 1628, in elucidation of the subject.

2. An interpretation in Murrathee or Canarese should be prepared and lithographed by Captain Wingate, for circulation amongst Native Officers; an English translation being sent to Government.

A. MALET,
Chief Secretary to Government.

No. 968 of 1855.

Territorial Department—Revenue.

From H. W. REEVES, Esq., Revenue Commissioner S. D.,

To. H. YOUNG, Esq., Officiating Chief Secretary to Government.

I have the honor to request you will submit, for the consideration of Government, the following notices, on a most important point, connected with our Revenue administration,—the rights of Occupants of Land, and Sub-tenants.

2. In a resolution, dated 1st August 1853, No. 4431, Government notified to my predecessor their concurrence in Captain Wingate's interpretation of Rule 5th of the Printed Joint Report. They directed that this interpretation should be cir-

culated for the information and guidance of European Revenue Officers of all Surveyed Districts, and also that it should be rendered into Murrathee and Canarese, and distributed among the Native Officers.

3. Under date September 9th, 1854, I called upon Captain W. C. Anderson, Superintendent of the Revenue Survey in the Southern Mahratta Country, to report whether he had received from Captain Wingate, before that Officer's departure for England, any instructions for the preparation of the authorised Murrathee or Canarese versions of this interpretation. Captain Anderson replied in the negative, and further stated that he entertained doubts as to the correctness of the interpretation which he had submitted to Captain Wingate, who had afforded him an unsatisfactory solution of them. It was the opinion of Captain Anderson, on receipt of his superior's explanatory letter, that the question of the rights of occupants of land and their sub-tenants (which was the difficulty discussed in connection with Rule 5th) should again be referred to Government; but he preferred waiting until he had gained some further experience of the working of the Rules as at present explained.

4. It does not appear from Captain Anderson's reply that he has yet fully satisfied himself by observation of the soundness of his doubts; but he observes, (para. 3) "before, however, proceeding to authoritatively publish rules defining the light in which Government view the respective rights of occupants and sub-tenants, it would be well that all doubts should be resolved, in order that the rules to be printed may, as far as possible, be final."

5. I forward, herewith, copies of the letters to which allusion has above been made, for the information of Government; but in order to place the whole subject in a compact form, it is necessary that I should summarize the whole of this correspondence.

From Captain W. C. Anderson to Captain Wingate, No. 310 of 1853, dated September 12th.
From Captain Wingate to Captain Anderson, No. 675 of 1853, dated September 20th.
From Captain W. C. Anderson to the Acting Revenue Commissioner, No. 276 of 1854, dated Sept. 23rd.

6. The interpretation recognised by Government on the advice of Captain Wingate is shortly this:—

1*st*.—The object of the Rules of the Revenue Survey is to constitute all occupied land saleable and heritable property.

2*nd*.—Also to secure the Revenue from loss and the permanency of the settlements, by preventing Shareholders of fields being recognised in the public accounts as occupants, except in certain cases.

3*rd*.—As a consequence of the former of these objects, mortgages and leases must be respected, otherwise land would not be saleable; the tenure of co-heirs must be respected, otherwise the value of inheritance would be much diminished, and the Rules would clash with the law of the land.

4*th*.—The Survey Rules are not intended to interfere with the ordinary operation of the laws and customs of the country in regard to the disposal, inheritance, or subdivision of land; but may be defined as contracts entered

into with Government for the payment of the assessment fixed upon fields or estates.

5th.—Occupancy may include possession of the whole of the lands held by an occupant, and for the assessment of which he is responsible, but not necessarily, as mortgagees, leaseholders, and co-heirs may intervene.

6th.—An occupant can oust, summarily, a mere Tenant-at-will, who holds under him from year to year.

7th.—But he cannot oust, summarily, a mortgagee, a lease-holder, or a co-heir.

7. In making use of the words "all occupied land" in para. 3 of his Report, dated 9th June 1853, No. 334, Captain Wingate appears to have done only what was perfectly right; occupancy being the primary tenure and the one with which Government are directly concerned. But in explaining the difference between *occupancy* and *possession*, the following words were used in para. 6 with particular reference to the opinions expressed by Mr. Bell, Acting Collector of Ahmednuggur:—

"The right of an occupant, as defined by Regulation XVII. of 1827, is not a right of absolute property in the soil, but a right of engaging with Government for the land revenue due upon it."

8. Captain Anderson took exception to this interpretation as follows:—

"In the Government Resolution No. 4431, dated 1st August 1853, it is laid down that an occupant of Government land cannot eject a Sub-Tenant deriving his title from a common ancestor.

"By Survey Rule 9th, a Tenant can transfer any land, to which his name is entered, to any other person agreeing to cultivate the same, which third person, not a co-heir to the holding, could, it appears to me, without any infringement of the letter of any rules now existing, oust the Sub-Tenant. For instance, A holds Nos. 20 and 21 Government land; he dies, leaving two sons B and C, who share the land between them,—B taking No. 20, and C No. 21; both Nos. are, however, under Rule 6th, entered in the name of B, who, under the rule laid down, cannot oust C from No. 21. B, however, gives a written Razeenama to D on account of both Nos. entered in his name. According to the letter of the rule there appears to be nothing to prevent D ejecting C, though it is contrary to common sense to suppose that a person can transfer to another rights which he does not possess himself."

9. In his reply, Captain Wingate observed, that "the Government Resolution No. 4431, dated 1st August 1853, *does not lay down the principle that an occupant cannot* eject a Sub-Tenant deriving his title from a common ancestor; but that the Collector is not to consider such a Tenant a mere Tenant-at-will, and oust him summarily at the request of the occupant. It expresses no opinion as to the rights

of these parties, but merely prohibits the Collector from acting summarily as he is authorised to do in the case of a mere Tenant-at-will holding from one year to another, at the pleasure of the occupant."

10. He observed that the supposed case put by Captain Anderson had occurred to him, but no actual instance of a person so dispossessed had been brought to his notice; and as he considered it undesirable to pronounce decisions in reference to the Survey Rules on hypothetical cases, he would not lay it before Government. He would only give his opinion to Captain Anderson.

11. In doing this, Captain Wingate observed that the example given was hardly "apposite, as, if B and C, the two sons of A, share his two fields between them, B taking No. 20, and C taking No. 21; then No. 20 should be recorded in the name of B, and No. 21 in that of C, and not both the fields in the name of B, as stated. Rule 6th is directed against the splitting of fields into shares, but is not intended to impede the recording of whole fields among co-heirs in any way they may agree upon.

12. "Supposing, however, that instead of each holding separate fields, B and C hold the two fields in common, as co-heirs of A, then, as both are recorded in the name of B, as sole occupant, he may transfer one or both to D, as in the example. In this case it is to be borne in mind that the right transferred is the right of occupancy, *i. e.* the right of paying direct to the Village Officers the assessment due on the land to Government, which right C does not possess at all. C has a claim upon the land, but none upon the occupancy, and the transfer of the occupancy to D might, therefore, be made without affecting C. In a real case, however, it is probable that C would object to the transfer of the occupancy, and if it appeared on inquiry that it was desired to be made with a fraudulent intent for the purpose of injuring C, the Collector might decline to make it, pending a reference to superior authority; or, having made it, he might decline to oust C at the petition of D, and refer the latter to the Civil Court to obtain possession.

13. "In order to arrive at a satisfactory solution of questions such as the above, it is necessary to distinguish clearly between the rights of property in the soil and rights of occupancy. The occupancy is a contract with Government for the payment of the assessment on a specified portion of the soil, but this contract does not necessarily convey a right of private property in the land to which it refers."

14. To these instructions Captain Anderson now objects that, on the death of the occupant A, the two fields, Nos. 20 and 21, cannot be constituted as two separate occupancies without the consent of the elder brother B. He further states his conviction that Captain Wingate must have committed a mistake in this part of his opinion,—"unless B, the elder was willing, I am certain Captain Wingate would not himself have entered the name of C to No. 21. In accordance with Rule 6th, he would have entered the sole name of B to the

See his letter No. 276, dated 23rd September 1854.

whole of his father's lands, the younger brothers would hold their shares as Sub-Tenants of B, the head of the family. I aided Captain Wingate in the settlement of one Talooka, and Karkoons are with me who wrote the statements of Cultivation at the settlements of six Talookas by Captain Wingate; and, therefore, from my own knowledge and the best information, I can speak decidedly as to what was the invariable course pursued by Captain Wingate in such cases which are by no means rare,—requests on the part of Bhaobunds to have their shares recorded independently of the head of the family being of almost hourly occurrence at the settlement."

15. Captain Anderson goes on to say;—"It is desirable that some uniform method should be laid down in the case of those Sub-Tenants who are co-heirs with the Khatadar, and in the case of those who are in no way related to the Khatadar. In the first case, that of co-heirs, two possible modes of proceedings are indicated by Captain Wingate, with reference to the case detailed by me. Of these, I would suggest that the first would probably be the most satisfactory to follow, and that the Khatadars be not permitted to transfer the occupancy of land held at the time by a co-heir Sub-Tenant himself, or by his inferior tenant, to any person but the co-heir Sub-Tenant, without his, or, if a minor, his two nearest kins' written permission to make the transfer. The second course would only tend to increase the spirit of litigation,—unhappily so prevalent among the people,—and would tend to more complicated and troublesome proceedings than the first course."

16. Captain Anderson further observes that the case of Tenants, not co-heirs, is sufficiently clear; they are, according to Captain Wingate's interpretation and former orders, to be regarded as Tenants-at-will, holding from year to year,—the Khatadar being the occupant recognized by Government. Previously, however, to the introduction of the Survey into the Belgaum Collectorate, this was not the practice, Messrs. Townsend and Reeves having always maintained the Tenant who showed an undisputed "*Wuheewât.*" Hence a difficulty has arisen which Captain Anderson thus explains:—

"I have come across many instances where a Sub-Tenant has cultivated without doubt for fifteen, twenty, or even a greater number of years. He has paid the revenue year by year, '*Goojàruth,*'*—the Khatadar being entered in his receipt book. The Khatadar often is not in the village or Talooka, may not have been heard of for years, or is believed to be residing in a distant part of the country,—having virtually relinquished all claim to his former land,—which would have become waste had the cultivator at any time declined to cultivate longer, and no one else chose to cultivate on account of the Khatadar. Under the previous practice of upholding the Sub-Tenant against the Khatadar, no man troubled himself as to whether his name was in the accounts or not; all he had to see to was, that he kept his hold on the

* Through, or by the hand of, the holder of the Khata or account.

cultivation of his land. In many cases we may presume that, if the Sub-Tenant had chosen he would have had no difficulty in obtaining a resignation in his favor from the Khatadar, but really he had no object in doing so;—now, however, the Khatadar is upheld, land has acquired an increased value, and, consequently, men, whose names have remained in the accounts, are able to come forward and oust the cultivator summarily with the aid of the Collector."

17. Further, Captain Anderson represents that, it is no uncommon thing to find the names of Village or District Hereditary Officers entered to fields in the accounts which they have never cultivated. These Officers took advantage of the ignorance of the Ryut; and, when he applied to take up waste, entered their own names, persuading the latter, as they easily could, that it was immaterial whose name appeared in the accounts. Or they made a transfer of names without the Ryut's consent at all;—he not being able to read, could not see from his receipt-book that he was merely paying on account of the Khatadar;—if he did, he ascertained it too late, for if he then complained, he incurred the hostility of the Village Authorities, and was, perhaps, told, after all, that the name entered in the accounts had been entered too long to be removed.

18. As remedial of these two difficulties, viz.:—

1*st*.—Khatadars or occupants long, and still, absent, or not in existence, or, after long absence, coming forward to oust a Tenant who has for a long time cultivated the land,

2*nd*.—The case of Ryuts who have been cheated into cultivating lands actually entered in the names of Village and District Officers,

Captain Anderson suggests that, first, a Rule should be made, calling on all absent Khatadars to appear in person or by authenticated deputy, and assert their claim within a certain time,—after the settlement in case of Districts to be soon settled,—and from a certain date in the case of Districts already settled, or those not likely to be settled for some years. If the Khatadars do not appear within the prescribed time, their names should be erased from the accounts, and those of the Tenants should be substituted. For the case of Tenants of known and present Khatadars, Captain Anderson proposes that, in summarily ousting them, consideration should be shown, and that

"If a Khatadar petitions to oust his Tenant *before* the 1st November in any year, he should be put in possession after the 1st April *next*, for the purpose of giving the Tenant time to remove the standing crops. If the petition be presented after the 1st November in any year, possession should not be given until after the 1*st April next but one*, because it is not unusual, at the end of November and in December to make preparation for the next year's sugar-cane crops which are planted in January"—

the rules not to interfere with the terms of any special agreement entered into between the parties which are always to be respected.

Secondly.—Captain Anderson suggests, that a general rule be made "permitting the removal of the names of the Hereditary Village or District Officers from the accounts where they have never actually cultivated themselves, or expended capital on the land. This he considers the remedy involving the least hardship, and by no means inconsistent with the course to be pursued to life-tenure Inams on lapse sanctioned by Government."

19. Considering the importance of the questions discussed in the correspondence thus laid before Government, I deemed it advisable to refer to the Collectors for their opinions, and these I now proceed to notice.

20. The Acting Collector of Ahmednuggur, Mr. Bell, is of opinion, that the difficulties which present themselves to a just settlement of the rights of occupants deriving their title from the Collector as the representative of Government, and those of the Sub-Tenant or party who derives his right from the occupant by sale, mortgage, inheritance, or any other form of transfer, so far as those rights are liable to the jurisdiction of a Collector, are rather apparent than real. He considers that the orders of Government, No. 4431, dated 1st August 1853, approving of Captain Wingate's interpretation of the 5th and following Survey Rules, have complicated the question, inasmuch as that interpretation is indefinite and inconsistent. Captain Wingate, Mr. Bell remarks, sets out by expressing entire concurrence in the view taken by the Collectors of Dharwar and Belgaum,—the latter of whom wrote as follows :—

Report, dated 18th October 1854, No. 1088.

"He upholds the occupant in ejecting his Tenant-at-will, who holds from year to year, provided the occupant petitions to be put in possession within six months of the commencement of the year from which dispossession is held to have dated. He also respects the right of co-heirs in an ancestral field, and respects also the rights of those who hold under Government Ryuts on written leases or bonds for terms of years."

21. Here then, Mr. Bell states, we have the Collector ejecting a Tenant-at-will; and it is desirable to inquire what power the Collector has, by law, to eject any party who may be in possession of land; he here proposes the question, "what sort of property occupancy of land is?" and quotes, as singularly inconsistent, Captain Wingate's opinions thus placed in juxtaposition :—

"Para. 3. The great object of the Rules of the Joint Report is, to constitute all occupied land heritable and saleable property."

"Para. 6. The right of an occupant, as defined by Regulation XVII. of 1827, is not a right of absolute property in the soil, but a right of engaging with Government for the Land Revenue due upon it."

22. Mr. Bell appears to consider Captain Wingate to have fallen into the error of confounding *occupancy* with *possession*, and states, that when the Collector lets a field to an occupant, he gives him a right of property in, and possession of it;

and that the Collector can, in two ways only, interfere with the possession so given,—1*st*, as a Revenue Court under Act XVI. of 1838, by giving possession to a party dispossessed, provided application be made within six months; and 2*nd*, under Regulation XVII. of 1827, Section VIII., by resuming land the Revenue of which the occupant fails to pay. There is no other legal authority, he argues, by which a Collector can, in any way, interfere with the occupancy of land; and Captain Wingate's view, therefore, that a Tenant-at-will can be ejected by a Collector, even though he may have been in possession for years, is, in his opinion, "directly opposed to the law." Paying respect to co-heirs in an ancestral field, and also to *Sub-Tenants* holding under written leases or bonds, is also, in his opinion, wrong and illegal, if possession is to be enforced in virtue of such rights.

23. "Occupancy of land," Mr. Bell proceeds, "is just the same as any other property which is held subject to particular conditions, and it is absolute, except in so far as it is restricted by those conditions."—"A man may," he argues, "sell it, give it, let it, or mortgage it, and the Collector has no concern with his transactions so long as he maintains those conditions. He has nothing to do with upholding rights or respecting titles, except to the limited extent provided by Act XVI. of 1838."—"The sole conditions are," he states, "payment of the Revenue, and preservation of Boundary marks." At the same time, Mr. Bell admits that a Collector can reinstate any one dispossessed of the field, and petitioning within six months. He further states that, if an occupant mortgages his field, and gives a *Razeenama* of occupancy, the mortgagee is liable to be dispossessed whenever the occupant resigns his holding; although, in transferring the holding the Collector is bound to give the preference to the party in actual possession.

24. Mr. Bell then applies the foregoing opinions to Captain Anderson's supposed case; and argues that, if B sells his right to D, he can sell only what he possessed, viz. his own share of the land, and the right and responsibility of settling with the Government, and the other son (C) loses nothing by his (B's) act. If he resigns his field or estate,—thus throwing up the right over the whole field or estate (an improbable event)—it would be resumable by Government, but the next eldest of the brothers, or any representative of the parties in possession, might be permitted to assume it, and thus a single occupant be retained. Mr. Bell states that the Revenue may be exacted from *any one in possession*, under Regulation XVII. of 1827, and that, therefore, the right of settling for the Revenue does not necessarily involve the responsibility of paying it, though the Khata be still kept in the original or superior holder's name.

25. In considering this question, and in administering the Survey Settlement, it seems to Mr. Bell, that the Collectors must never forget that their relations to the Tenants of the land are simply those of Collectors of the Revenue and Revenue Judges, to the limited extent provided in Act XVI. of 1838; that their interest in land when once let, and so long as it remains under lease, is simply to realize the

Revenue, and see the Boundary Marks preserved, and that their jurisdiction is limited to cases of dispossession within six months of the date of petition. If they are to interpose an authority not sanctioned by law, whenever there may be misunderstanding or dispute relative to possession, the object of creating a right of property in the land, which Captain Wingate states to be the great object of the Survey, is at once defeated; for what, he argues, would be the value of the property, if it were liable to arbitrary adjudication through other than the ordinary channels of justice, provided and restricted by the written Law?

26. Mr. Bell suggests, in conclusion, that "any Rule which may be proposed to regulate the rights conferred upon the occupant, and to point out (for no rule, short of a law, can *prescribe*) what are the rights of Sub-Tenants, should be circulated, in order that the opinion of Revenue Officers of practical experience may be taken upon them, and thus, that difficulties in the way of their operations may be foreseen and avoided."

27. The Collector of Sholapoor, Mr. Loughnan, expresses his concurrence generally in the views of Mr. Bell, and considers the Survey Rules as perfect as practicable, and that a closer definition of the rights of Tenants is inadvisable. Those Rules, he states, have been established solely for departmental convenience and precision, leaving the Civil Courts alone to decide on conflicting claims. On the revision of assessment in any place, the Registers should be most carefully and correctly framed, and be left immutable, except when transfers of fields are made by mutual consent and by Decrees of Civil Courts. He deprecates a discretion being given to the Collector or others, for the removal of one, and insertion of another, name in the Registers, and is of opinion, that when a wrong name is inserted at the Survey, the correct one must be entered by the Civil Court alone.

Report, dated 2nd November 1854, No. 1099.

28. Mr. Loughnan continues,—"The rule which requires the name of the eldest son to be put in place of that of the father, should not be interfered with, since departmental convenience must, of course, be taken into consideration, together with the convenience and good of the governed." The splitting up of fields, and multiplying of holdings, would, he states, be attended with extreme inconvenience and mischief. The original tenant, Mr. Loughnan observes, may, during his lifetime, have been the head of from ten to fifteen families, all residing together, and each cultivating different portions of one undivided farm. He dies, and the Collector places the name of his recognized heir in the Register. If the eldest son be sufficiently gifted, he succeeds to the heirship of the still undivided family; if not, a "Punch" assembles and determines the distinct shares each is henceforward to enjoy independently—dividing the jewels, premises, cattle, farm-implements, clothes, &c.; and why not, Mr. Loughnan argues, the land also? But such is the case he observes;—for if the younger members have no confidence in the eldest son, they arrange with him for the distinct entry in the Registers of certain whole fields

in their own names, and a transfer takes place forthwith, according to the Survey Rules, if the arrangement is completed; but, if not, recourse can only be had to the Civil Court, for the Collector cannot find time to dive to the bottom of every claim. In support of this opinion, he cites the custom prevailing in the Canarese Districts, which is, that several Ryuts there cultivate portions of different fields, —each field, and sometimes lumps of two or more of them, being entered in the name of single persons only of their number.

29. As to summary ejection under Act XVI. of 1838, Mr. Loughnan states, that it is possible a Ryut may be injured by a summary decision rested on the sole evidence of the Registers, in a case where the person, whose name is borne on the Register, comes after a long absence, and suddenly claims the land; but such a case is, he intimates, extremely rare in his Collectorate. If the above decision were passed by a Collector, the Ryut could appeal to superior authority, who could reverse it, and establish a precedent by which a Sub-Tenant in undisturbed and independent possession of land a certain time, could not be liable to ejectment on the mere proof that the Registers record the name of another. "But," he continues, "a remedy exists even at present;—for a Sub-Tenant fearing such an event, may decline paying the rent, and may request that, instead of recovering from his other property, the Collector recover on the land, which would then be put up to sale: he would then have the opportunity of purchasing, and thus have his own name entered in the Registers. Existing Rules would, it seems, allow of this (Regulation XVII., Section VIII. Clause 2nd of 1827), as indicated by Mr. Bell."

30. In conclusion, Mr. Loughnan observes,—"The Collector considers it a most happy circumstance that an opportunity has arisen for again discussing this extremely important subject, as he cannot but state it to be his conviction that the modifications in the Survey Rules now proposed, are likely, in a short series of years, to have an evil result. The great value of keeping the Registers immutable, except by the Rules, should never be lost sight of; and it should ever be held in mind that Civil Courts have been established for the settlement, and have sole cognizance of controversies between man and man in regard to property, and that the duties of the Revenue Department are directed alone to the most convenient levy of the Revenue, both as to the governed and Government, and that they are not Courts for the decision of controversies, except under Act XVI. of 1838. The Collector would earnestly draw attention to the necessity of causing the Survey Rules to be embodied in the Law, by which it will no longer be in the power of any authority to modify and emaseculate them."

31. Mr. Stewart, First Assistant in charge of Dharwar, regards the Rules in question as a quasi-interpretation of the terms "possession" and "dispossession," referred to in Act XVI. of 1838,—to be read as follows:—

Report, No. 2014, of 16th November 1854.

"No one shall be considered to be in possession of a Goverment field, unless

his name is entered in the Registers, except when he has parted with this possession for a term of years, which transfer, if disputed, must be substantiated by a written instrument."

He sees nothing in the Rules to authorise recognition by Collectors of co-heirs of a previous occupant, and thinks that such recognition, involving intricate questions of Law, should be left to the Civil Courts. If the co-heir, mortgagee, or lessee be in possession of a written record of the division of the holding, or if the Khatadar admit having given possession, Mr. Stewart would leave him in possession in the event of the Khatadar seeking to oust him; but he would not put a co-heir in possession,—that he would leave to the Civil Court.

32. This principle of possession he would apply to the case of the fictitious transfer alluded to by Captain Anderson in para. 4. The party to whom the Khatadar transfers his land, should not be allowed to eject summarily any Sub-Tenants in possession, *i. e.* mortgagees, lessees, or co-heirs, whose claims are admitted by the original Khatadar, or substantiated by a written instrument.

33. He disagrees in Captain Anderson's proposal to vitiate the rights of Khatadars who have been long absent, on their failing to appear and assert their claims within a given period; but considers that entries in the Official Registers must be looked upon as *primâ facie* evidence of a right of occupancy, and he would leave any claims which may be raised by Sub-Tenants against absent Khatadars to be decided according to law. The rights of the Khatadars must, in his opinion, be greater than those of tenants holding under them. He concurs, however, in the proposal made by Captain Anderson in his 11th and 12th paras.

34. Mr. Stewart considers the decisions of the Revenue Authorities to be only temporary, subject to reversion by the Adawlut. This, he states, renders nugatory all attempts to preserve in integrity the Survey Settlement, unless it is sanctioned by law, in which case it appears advisable that an option should be given to the Khatadar to discharge the claims of his co-heirs by a money payment, instead of giving them a share of the field.

35. The Acting Collector of Belgaum, Mr. Havelock, concurs in the view of the law taken by Mr. Bell, also in the opinion expressed by that Officer, that if the Registers assured us, as appears to have been originally contemplated, of a clear possession at the time of the Survey Settlement on the part of the Khatadar, there will be no great difficulty in maintaining the Survey Rules. He believes that the tenure of the Khatadar under Rule 5th was intended to be actual possession, and not a right of engaging with the Government for the Assessment. Rules 7th, 8th, and 12th, are, he considers, intended to maintain the integrity of entire Survey Fields, and to grant the registered occupant, or occupants, a lease of the land for thirty years,—the Survey Registers being a complete record of the state of the occupancy at the time of the New Settlement. Possession, and

Report, No. 800, of 28th November 1854.

not mere right of engaging for the assessment, is, he understands, also contemplated in paras. 2 and 30 of the Government letter No. 5593 of 1848, and in para. 6 of the Minutes of Council, dated 20th April 1849, compiled with the Printed Joint Report.

36. Mr. Havelock is of opinion, that the Registers, according to Captain Anderson's account, are not complete Records of the state of occupancy at the Survey settlement, since it appears that Ryuts, long in possession of land, have not been registered as occupants, but only the names of those men which were entered in the old Registers.

37. The plan proposed by Captain Anderson in para. 10 for altering the Survey Registers, Mr. Havelock would not advocate, but he would continue the names now as they stand,—being averse to unsettling the present owners, and such a procedure being calculated to injure the Survey Settlements, and to involve the Collector in civil details far beyond his province.

38. Mr. Havelock adds,—"If the Survey Registers already made are to be preserved untouched, and the Registers in subsequent settlements are to be made in the same manner as heretofore, the original question upon which this discussion took its rise,—namely, whether a Government Tenant holding land under No. 5 of the Revenue Survey Rules, that is, the Khatadar or person whose name is registered in the Village Khata as occupant of the land, has the right of summary ejectment of his Tenant-at-will, or not,—is one of the very highest importance."

39. He considers Act XVI. of 1838 as a "quasi" civil one, when used by the Collector, who must hear evidence in proof of possession;—if the holder does not show some proof better than that produced by a Tenant-at-will, he should be ejected. The proof he considers necessary is mortgage, lease, sale, partition, and co-heirship, which if substantiated, ejection could not ensue; if not substantiated, the parties might be referred to the Civil Court.

40. He concurs in the opinion of Captain Anderson in para. 12, but thinks that the Khatadar ought to be put in possession as soon as the crops are off the ground, without reference to date,—the subject being, however, left to the discretion of the Collectors, as is the practice in Poona and Belgaum.

41. The Collector of Rutnageeree, Mr. Spooner, illustrates the case alluded to by Captain Anderson in para. 4, as follows :—

Report, No. 1877, of 18th December 1854.

"Some fields, say four, are entered in the name of B, who pays the Government assessment, two of them being, however, cultivated by C. B transfers his Khata to D, who applies to the Collector to be put in possession of all four. Mr. Spooner then states,—'In this Zillah' (at present unsurveyed) 'no objections would, in ordinary cases, be raised to transferring the Khata from the name of B to that of D; but, as C actually cultivates two of the fields, he would on no account be disturbed; all that C would be required to do, would be to pay to

D a fair rent. If from time immemorial, or for many years, C had paid a certain fixed rent, that amount alone he would still be required to pay, otherwise the amount of rent would be settled according to the custom of the Village or District, viz., a third or a half of the gross produce.' "

42. Mr. Jones, the Collector of Poona, considers that the Survey Rules should be upheld when they do not clash with the law of the land ; and that the jurisdiction of the Collector under Act XVI. of 1838 should be exercised only on production of the clearest proof of the plaintiff having been *dispossessed* by an *unauthorised person.* No question of proprietary right should be entertained,—inquiry being simply made as to whether the party in possession has *authority from the owner* to continue in possession or not, every dispute beyond this should, in his opinion, be left to the Civil Courts. He considers that the *Decrees of Civil Courts* should be permitted to affect the Survey Registers only to the extent of altering the name of the occupant or owner, and not be allowed to interfere with the fundamental rule of the indivisibility of integral numbers or holdings ; and for this purpose, suggests that no decree be enforced without reference to the Collector, who should be allowed to object to it, if any of the Rules would be broken by implicit obedience to the Court's decree.

Report, No. 2677, of 29th December 1854.

43. As regards Captain Anderson's case, Mr. Jones is of opinion, that so far as the Revenue Officers are concerned, B may dispose of the whole of the land entered in his name; but in an undivided estate the brothers have a right to interfere, and if B's Razeenama were attended to without consulting others, D (C ?) for instance, the land would go into the possession of a third party contrary to the law, and yet leave no redress, but the very expensive one of civil action.

44. Respecting absent Khatadars, Mr. Jones considers that it would be some compensation to Tenants who have taken up land in consequence of the absence of the nominal occupant, if, before giving up the land, all improvements be appraised and paid for,—possession not being given until the amount has been paid.

45. In cases where the Settlement Officers have, by oversight, omitted to enter the names of persons entitled to be mentioned in the Registers, it would, Mr. Jones urges, be palpably unjust to refer the parties to the Civil Courts for redress, which should come from the Revenue Authorities in whom the mistake originated.

46. The opinion of Captain Anderson appears to be that the interpretation is incomplete, and requires further consideration, and what he proposes is advanced with much caution.

47. Mr. Bell, Acting Collector of Ahmednuggur, in whose opinions the Collector of Sholapoor and Acting Collector of Belgaum generally agree, considers that the Joint Report Rules are sufficient, and require no addition, if only they are rightly carried out.

48. It appears necessary to examine Mr. Bell's opinion. He attributes to

Captain Wingate's explanation, which has been adopted by Government, indefiniteness and inconsistency. This part of Mr. Bell's objections will, I conceive, be sufficiently met by a reference to the short account of the interpretation given above at paras. 6 and 7 of this letter.

49. Mr. Bell affirms that the ejection of a Tenant by an occupant is illegal—the reason assigned being, that Act XVI. of 1838, and Section VIII. of Regulation XVII. of 1827 are the only enactments under which a Collector can interfere with land once given to an occupant, or justify the ejection of any party in possession. Mr. Bell, however, has omitted to show cause why a Ryut, not being co-heir, who has been permitted by an occupant to cultivate his land under no lease or written authority, should be considered as anything else than a Tenant-at-will, cultivating from year to year; and, as such, liable to summary ejectment, if, by refusing to give up the land so cultivated by him, he dispossess the occupant.

50. In his definition of "what sort of property occupancy of land is," Mr. Bell observes, that a Collector has nothing to do with upholding rights or respecting titles, except to the limited extent provided by Act XVI. of 1838; yet he evidently does himself intend to uphold rights and respect titles, for at para. 24 there are these words :—

Para. 23 of this letter.

> "The eldest son of an occupant, if he sells his right, can only sell what he possesses, his own share of the land and the right and responsibility of settling with Government, and the other sons are deprived of none of their rights by this act."

Now, this is exactly what Captain Wingate, as far as I perceive, contends for, and serves to illustrate that Officer's views of the necessity of bearing in mind the difference between occupancy and possession.

51. In modification of what Mr. Bell states in regard to responsibility for the payment of the Revenue, which he says does not necessarily attach to the occupant, I have to observe, that this is not the doctrine of the Survey Rules. In the 5th Rule, it is laid down that the person in whose *name* any field, or share of a field, is *entered* in the *Cultivation Returns*, can be ejected in the event of his failing to discharge the full assessment; and, in the 15th para. of Captain Wingate's letter to the Revenue Commissioner, No. 239 of 1848, December 23rd (see Printed Compilation), concurred in by Government, the course laid down is, to put up the occupancy or a portion of it, sufficient to meet the Government demands, to auction. Thus the responsibility of the occupant cannot be avoided. And I would beg to urge here, that Collectors ought to act rigidly on these Rules, and insist upon the responsibility here unequivocally declared. I do not in the least deny the power of the Collector to recover from the inferior holder, under Section V. Clause 1 of Regulation XVII. of 1827; what I urge is, that the responsibility of the occupant should always be insisted on, to the utmost, and that, under the Survey Rules, the demand on the inferior holder or Tenant should be merely supplementary.

52. I do not, on the whole, see that, practically, the opinions of Mr. Bell differ much from those expressed by Captain Wingate in his interpretation, except as to the right of an occupant to eject his Tenant-at-will.

53. The Collector of Sholapoor considers the Survey Rules intended for mere departmental convenience. He would act according to them, but leave *all disputes*, and the alteration of a wrong name even, to the Civil Courts. I cannot concur in this doctrine—it would make the tenure of land perfectly insecure. I am of opinion that the Collector ought to, and *can very easily indeed*, decide all the cases which are contemplated in the present discussion.

54. This Officer does not, apparently, concur in the opinion expressed by Mr. Bell on the illegality of ejecting a Tenant-at-will, but points out that summary ejection may, in some instances, rare in his Collectorate, press with severity. And he suggests a very safe remedy in all cases in which an occupant remains absent or is incapable of undertaking the cultivation of his fields, viz. that pointed out above in para. 51, holding the occupant himself responsible for the revenue, recovering by sale of the occupancy, and thus giving the Tenant an opportunity of purchasing and becoming occupant himself.

55. The First Assistant in charge of Dharwar has not expressed himself accordant with the views of Government in his definition of "possession" of a Government field, inasmuch as a man may, as co-heir, be in actual possession of a Government field, and have a Tenant, and yet not be the occupant whose name is entered in the Register. Mr. Stewart, however, sees nothing in the Rules authorising the recognition of co-heirs. He would leave questions in which they are concerned to the Courts of Law. I may, however, here remark, that the interpretation recognized by Government does not pretend to adjudicate disputes between co-heirs; it merely lays down the simple Rule, that a Collector is not to serve a co-heir, a mortgagee, or a lease-holder, as he would a Tenant-at-will. It is not to be expected that a co-heir will hold a written agreement; and an inheritance divided according to Hindoo or Mahomedan law ought to be viewed by a Collector, as divided by sufficient authority to warrant his respecting a co-heir in his holding to the limited extent proposed by Government.

56. Mr. Havelock's opinion that actual possession was meant by the occupancy of lands by a Khatadar at the time of the Survey Settlements, appears to me to receive no confirmation from anything that has received the sanction of Government. It is, however, quite true, that the Registers ought to have been made out so as to exhibit complete records of the state of "*occupancies*" at the time of the Survey, and this would seem, from Captain Anderson's remarks, not to have been everywhere the case,—yet Mr. Havelock would not advise the correction of any mistakes.

57. Mr. Havelock does not see anything to object to in the interpretation of Captain Wingate in regard to the ejection of Tenants-at-will, and the necessity of respecting co-heirs, mortgagees, and lessees.

58. Mr. Spooner's opinion affords an apt illustration of what Captains Wingate and Anderson have regarded as the effect of a transfer of occupancy by the head of an estate cultivated by co-heirs.

59. The opinion of the Collector of Poona coincides with the orders of Government. The word "*owner*" is, I imagine, used for *occupant*. Mr. Jones would respect co-heirs, and he would oust Tenants-at-will. He suggests, also, that Decrees of the Civil Courts should not be allowed to interfere with the fundamental rule of the indivisibility of holdings, and, therefore, that they should not be enforced without reference to the Collector who should be allowed to object to it.

60. I have here to observe, that the orders of Government conveyed in the Resolutions, dated 27th September and 5th December 1853, Nos. 5707 and 7009, fully dispose of the difficulty raised by Mr. Jones, and I shall accordingly bring this to his remembrance.

61. Having thus shortly reviewed the opinions which have been offered by the Collectors, I proceed to submit my own. It will clear the way to state here what the questions are which are to be decided:—

1*st*.—Are co-heirs to be respected in the event of an occupant petitioning for their summary ejection?

2*nd*.—In the event of an occupant of an estate cultivated by co-heirs presenting a Razeenama, transferring the whole occupancy to a third party, any or all of the co-heirs opposing, is the Razeenama to be accepted under Rule 20th of the Joint Report?

3*rd*.—On the death of a sole occupant, if any co-heir expresses a wish to that effect, may the Collectors, without consent of the heir, divide off to such co-heir that portion of the occupancy, being a whole field or fields, as may by law become his portion; or must the Collector adhere to the terms of Rule 6th, and enter the name of the heir only?

62. These are the points to which all the Collectors have addressed themselves; there are others raised by Captain Anderson, which I propose to notice presently. I do not deem it necessary to notice any further the objection of Mr. Bell to the orders of Goverment for the summary ejection of Tenants-at-will.

63. I have no hesitation in stating my opinion, that the orders of Government for respecting the rights of co-heirs should be upheld. The Collectors, while they see clearly that practically there must be a distinction observed in the treatment of a co-heir and a Tenant-at-will, appear apprehensive lest they should be led, through conformity with the orders of Government, into intrusion upon the province of the Civil Courts; but this apprehension is groundless. Co-heirs must be respected to the limited extent laid down, because Hindoo law respects them, and to prevent Collectors from acting in opposition to the Civil Courts. If, therefore, an occupant petitions for the summary ejectment of a co-heir, the Collector should refuse and

refer the petitioner to the Civil Court. This course involves no nice inquiry or procedure whatever.

64. On the second point, I would require Collectors to except the Razeenama according to present practice. The transfer is for the *occupancy*, and, as Mr. Bell and Captain Anderson state, it is opposed to common sense to imagine that a man can transfer what does not belong to him. There is, consequent on the transfer, a change of the name of the Khatadar or occupant, but none as to the possession of the co-heirs, mortgagees, or lease-holders, holding under written agreements.

65. It has been suggested by Captains Wingate and Anderson that, when the co-heirs object to the transfer, and it appeared on inquiry that it was desired to be made for the purpose of injuring them, the Collector might decline to make it, and that the transfer of occupancies held by co-heirs to any one but the co-heir without his, or, if a minor, without the written permission of his two nearest of kin, should not be allowed. This would, in my opinion, depend very much upon the nature of the heritable property which Government wish to recognize in occupancies of land. If they wish them to be a sort of entail, these proposals would be suitable, not otherwise.

66. On the third point, I am of opinion that, in accordance with the principle which Captain Wingate explains,—"The Government Resolution No. 4431, dated August 1st, 1853, does not lay down the principle that an occupant cannot eject a Sub-Tenant deriving his title from a common ancestor, but that the Collector is not to consider such a Tenant a mere Tenant-at-will. It expresses no opinion as to the rights of these parties, &c. &c.:" no division of the inheritance should be made by the Collector without the consent of the heir or sole occupant. I share in the opinions of Captain Anderson that, the two fields, Nos. 20 and 21, in the instance cited, cannot be constituted separate occupancies without the consent of the elder brother B, and that Captain Wingate would have committed a mistake in proposing such a separation: but by a reference to his letter, and to the 11th para. of this, it will be seen that Captain Wingate supposed the consent of all parties concerned necessary. It is obvious that, if the occupant may not summarily oust a co-heir, the co-heir must not be permitted to oust the occupant; and I consider the clear course for a Collector would be, in this case, to refuse the petition of the co-heir, and refer him to the Civil Courts for a division of the patrimony.

Vide above para. 9.

Vide above para. 14.

67. There are four other points raised in Captain Anderson's letter, dated 23rd September 1854, No. 276, to my address, viz:—

1*st*.—The case of "occupants" (Khatadars) long and still absent, or not in existence,—the land held under their names according to the accounts being cultivated by Tenants.

2nd.—The case of occupants after long absence coming forward to oust Tenants who have for a long time cultivated the lands, possession of which is desired.

3rd.—The case of Ryuts who have been cheated into cultivating lands actually entered in the names of the Village and District Hereditary Officers.

4th.—The case of Tenants of known and present occupants, whom Captain Anderson proposes to treat with consideration whenever sentence of summary ejectment may be pronounced.

68. For the first of these cases a simple remedy is found in Rule 5th of the Joint Survey Report and in the orders of Government, adopting the 15 para. of Captain Wingate's letter to the Revenue Commissioner, No. 239 of 1848, December 23rd, already referred to by me, and pointed out also by the Collector of Sholapoor, Mr. Loughnan. All cases of this sort ought, I conceive, to be disposed of at once. But I do not understand why the Superintendent of Revenue Survey should not have settled cases of this kind himself at the introduction of the new rates into the Districts to which his remarks refer. There was ample time during the progress of the Survey for warning the Tenants, and making all the necessary preliminary arrangements.

Vide para. 51 above, also para. 54.

69. Complaints coming under the category of cases forming the second head, must, I consider, be decided by Collectors in favor of the Khatadar. Captain Anderson observes that the practice of Mr. Townsend and myself, as Collectors of Belgaum, was to decide in favor of the Tenant, and I have no doubt he is correct in this statement. I should maintain it now if the new Survey had not taken place; but under the new order of things my views are different, and, I think, that if the right of occupancy is real, and the occupant is present to claim and act up to it, his right must be upheld. But he should, of course, pay for any immovable improvements as suggested by the Collector of Poona. Hardship there may be in these cases, but I am of opinion that these cases will be rare. I differ from Captain Anderson, who argues that the cultivators had no inducement to have their own names brought on the accounts instead of those of the absent Khatadars; and I am convinced that the importance of the entry in the Government accounts has always been thoroughly appreciated by the Ryuts of the Belgaum Collectorate.

70. For the third class of cases, I know of no remedy; men cannot be governed beyond a certain point better than they deserve; Government cannot, in other words, do everything for those who will do nothing for themselves, and if cultivators are to be found who have allowed themselves to be gulled in the manner Captain Anderson points out,—or who coolly represent themselves to have been so treated, they must be referred to the Magistrate for redress, and then to the Civil Courts, and be made to prove their own words. I cannot concur in Captain

Anderson's proposal to remove the names of " all hereditary District and Village Officers from the accounts where they have never actually cultivated nor advanced capital on the land." I believe the real cases would be very few, but many or few, such a remedy as this appears to me worse than the evil: it would be a subversion of the occupant's right, and be laying the *onus probandi* on the wrong party, hard swearing would be resorted to on both sides, and it is not difficult to say who would get the better in the end.

71. With regard to the proposal made by Captain Anderson for considerately carrying into effect orders for summary ejectment, which is the fourth point, I am of opinion that it would not be consistent with summary process. It is also unnecessary; for in nine cases out of ten the Tenant must know well the intentions of his superior holder, and he might, with the aid of Captain Anderson's rules, manage designedly to get a whole year's additional profit out of the land to the loss of the occupant. There appears to me no occasion for delay. Dispossessing the rightful owner is an unlawful act, which might, in all cases, be made to bear its full punishment. Still, the Collector possesses the power, I conceive, of allowing the removal of the crop in every case, and I have no doubt that cases of hardship receive their full measure of consideration.

72. It has been urged by the Collector of Sholapoor and the First Assistant in Charge of Dharwar, that the Survey Rules require the force of law to maintain their integrity. This may be correct; but through the suggestion of the Sudder Dewanee Adawlut, as communicated by Government to this Department, under date 5th December 1853, No. 7009, the whole of the Civil Judges have been furnished with copies of these Rules, and the Judges of that Court have promised their assistance in upholding the Survey Settlements; I should not, therefore, apprehend any wilful infringement of them, and I have hitherto heard of no instances in which they have suffered any unintentional infringement. I think it advisable that Government should wait until the administration of the New Survey, under existing circumstances, becomes practically difficult before resorting to legislation for its support.

73. I have respectfully to request the indulgence of the Right Honorable the Governor for the length of this letter, which, however, the several important points involved, scarcely permitted me to offer to his notice in a form more condensed than that in which it now appears. If Government approve of the opinions which have been expressed by me in connection with the Resolution, dated August 1st, 1853, No. 4431, I see nothing to prevent the preparation of Murrathee and Canarese versions of Captain Wingate's interpretation as originally desired, and will call on Captain W. C. Anderson to prepare them.

I have, &c.,

H. W. Reeves,
Revenue Commissioner S. D.

Revenue Commissioner's Office,
3rd April 1855.

No. 5351 of 1855.

Territorial Department—Revenue.

To the REVENUE COMMISSIONER S. D.

Copy of the Resolution passed by Government, under date 20th December 1855, on a Letter from the Revenue Commissioner S. D., No. 968, dated 3rd April 1855, with accompaniments, submitting, for consideration and orders, certain points connected with the rights of Occupants of Land, and their Sub-Tenants.

There are, in all, seven questions submitted for the decision of Government by the Revenue Commissioner, connected with the right of occupants of Government land, as distinguished from the rights of non-occupant cultivators under the New Survey Rules.

2. It will, in some measure, clear the way to a decision on the points now submitted, to examine what, under the existing law, is the position of an occupant, as distinguished from that of a non-occupant cultivator, and the mode in which the Survey Rules, as laid down under para. 84 of the Joint Report, bear on this point.

3. Under Section III. of Regulation XVII. of 1827, occupancy is defined as consisting in the right to hold land direct from Government, and this right, when not vested in the actual cultivator, is to be determined by the recognized custom of the country, unless, when resting on a specific grant. By the recognized custom of the country, Government may confer the right of occupancy of *Government* lands on whomsoever they may please, either permanently or temporarily, and the Survey Rules direct the Government Officers (see Rule 5th) to consider every cultivator, in whose name any field or share of a field is entered in the Village Accounts, as the holder (or occupant) of such field or share of a field; and Rule 6th directs that on the death of an occupant his fields or shares should be entered in the name of his eldest son or next heir. Further, under Rule 5th, no occupant can be ejected from his holding, so long as he shall continue to pay the assessment due on it.

4. The right of occupancy of Government land being at the disposal of Government, there can be no legal objection to these rules. But the right of occupancy does not necessarily comprehend the exclusive right of *cultivation* which is a right subject to the ordinary law of inheritance. The co-heirs of an occupant cultivator have a right to *cultivate* a portion of his occupancy, and in this right they would be upheld by the Civil Courts.

5. On the above principles, His Lordship in Council has founded the following replies to the several questions submitted by the Revenue Commissioner.

6. His Lordship in Council considers that the law does not give the Revenue Authorities the power of summarily ejecting a co-heir at the request of the occupant. Under Act XVI. of 1838, the Collector can give possession to a party dispossessed, provided application be made

1st Question.—Are co-heirs to be respected in the event of an occupant petitioning for their summary ejectment?

within six months of dispossession. But this cannot apply to the case in question, unless the co-heir should have usurped the cultivation of more than his legal portion. A non-occupant co-heir cultivating his own share of an occupancy has an equal right to cultivate, sublet, or mortgage such share as the occupant has with regard to *his* portion. An occupant may oust the mere Sub-Tenant of his own share of a field, or may increase the rent on such Sub-Tenant at his discretion, but he cannot interfere with the Sub-Tenant of a co-heir, nor can the Revenue Officers so interfere at the request of the occupant.

7. It seems to His Lordship in Council that the Collector should be allowed to exercise a discretional power of preventing the transfer of an occupancy to a third party not a co-heir, in cases where there are co-heirs who object to the transfer. When the transfer of an occupancy has been made by the original occupant, without the consent of his co-heirs, or of the Revenue Authorities, the rights of the co-heirs of the original occupant are in no way affected by such transfer.

2nd Question.—In the event of an occupant of an estate cultivated by co-heirs presenting a Razeenama transferring the whole occupancy to a third party, any or all of the co-heirs opposing, is the Razeenama to be accepted under Rule 20th of the Joint Report?

8. A co-heir cannot claim, as a right, to be constituted the separate occupant of his share of an occupancy, even when such share may consist of one or more entire fields. If the eldest son or next heir of the occupant consents to the creation of a separate occupancy in favor of a co-heir, there is no objection to such a course, but without such consent the sole occupancy shall not be broken up.

3rd Question.—On the death of a sole occupant, if any co-heir expresses a wish to that effect, may the Collector, without the consent of the heir, divide off to such co-heir that portion of the occupancy, being a whole field or fields, as may, by law, become his portion; or must the Collector adhere to the terms of Rule 6th, and enter the name of the heir only?

9. The Cultivator has, in this case, as pointed out by Mr. Reeves and by Mr. Loughnan, the remedy in his own hands. He can, by petition, request the Collector to hold the occupant himself responsible for the Revenue, and thus secure an opportunity of purchasing the occupancy himself.

4th Question.—What course should be adopted in the case of occupants long, and still, absent, or not in existence, their lands being cultivated by Tenants?

10. His Lordship in Council agrees with the Revenue Commissioner, that it is necessary in such a case to uphold the rights of an occupant, who is present, and claims his privileges; he should, however, pay for any immoveable improvement before being placed in possession.

5th Question.—Can an occupant, long absent, come forward and oust a Tenant-at-will, who has long cultivated his occupancy?

11. The remarks on this subject, contained in the 70th para. of Mr. Reeves' report, appear to His Lordship in Council exceedingly just. In cases where the name of the actual cultivator has not been entered through palpable fraud, the

6th Question.—The case of Ryuts who have been cheated into cultivating lands actually entered in the names of the Village and District Hereditary Officers?

Collector should have the power of summarily erasing the name fraudulently entered; but he will seldom have leisure to examine the evidence thoroughly in doubtful cases, and these should be decided in Civil Courts.

12. His Lordship in Council considers that the suggestions on this head made by Captain Anderson are worthy of attention, but would leave it to the discretion of the Local Authorities, who should be guided by the peculiar circumstances of each case.

7th Question.—The considerate treatment of Sub-Tenant summarily ejected.

13. In conclusion, His Lordship would remark that it seems very desirable that the Survey Rules should be left to operate without the aid of special legislation: at all events, until the Government has before it more distinct evidence of the incompatibility of those rules with existing laws, it would be premature to consider further the necessity of an application to the Legislature.

W. Hart,
Secretary to Government.

TENTAGE—Scale of Allowances to be drawn by Collectors and other Civilians on account of ——.

Notification.

General Department.

The Right Honorable the Governor in Council is pleased to change the "Triennial Tent-purchase-money," allowed to certain Officers of the Civil Service, into a Monthly Allowance.

Those Officers who have received Tent-purchase-money within the last three years, will not be entitled to draw the monthly allowance, until their triennial Tent-purchase-money shall have been cleared by adjustment, or by the expiration of the period for which the same has to run under the rule and practice heretofore in force.

Section XXVIII. of the Civil Absentee Regulation of the 14th, published in the *Government Gazette* of the 27th June 1833, is hereby rescinded, and the following substituted in lieu thereof, to have effect from this date.

"Section XXVIII. The following Officers entitled to Tentage, shall be permitted to draw Tent Allowance monthly, in arrears, as follows:—

Each visiting Judicial Commissioner, the Political Commissioner in Guzerat, and Revenue Commissioner	Rs.	55	8	11
Each Principal Collector, Collector, and Sub-Collector of Land Revenue, Collector of Sea Customs, except at the Presidency.	„	44	7	1
Assistant to the Revenue Commissioner	„	27	12	5

Deputy and all other First Assistants where there is no Deputy in the Revenue Departments abovenamed	Rs.	22	3	6
Second Assistant to the Political Commissioner in Guzerat....	„	13	14	2
All other Assistants in the Departments abovenamed	„	11	1	9

By order of the Right Honorable the Governor in Council,

Bombay Castle,
23rd December 1835.

W. H. WATHEN,
Secretary to Government.

TENTAGE.—District Deputy Collectors allowed to draw Tentage, if they live and have Office in Tents during the fair season.

Extract, being paras. 3, 4, *and* 5, *of the Government Resolution No.* 6132, *of* 20*th September* 1852.

" Para. 3. District Deputies who *live*, and hold Office during the fair season, in Tents, to have the " Tentage" allowance of Covenanted Assistants, Rupees (11-1-9) eleven, annas one, and pies nine, per mensem.

"4. District Deputies who merely use Tents for *Office*, to have half that allowance.

"5. Government would much prefer that District Deputies should live in Tents, pitched outside Village walls, &c."

Extract, being para. 2 *of a Government Resolution, dated* 7*th September* 1853, *No.* 5237, *addressed to the Revenue Commissioner S. D.*

" Para. 2. The words " fair season," as used in paras. 3 and 4 of Government Resolution, of 20th September 1852, No. 6132, were not used as defining the period from which the allowance was to be drawn, but merely the period of the year from which the Tents were to be used for residence or Office, or for both purposes."

Extract, being para. 3 *of a Government Resolution, dated the* 1*st October* 1853, *No.* 5839, *addressed to the Revenue Commissioner S. D.*

" Para. 3. Those District Deputy Collectors who may, during the fair season, live and hold Office in Tents, are to be allowed to draw, during the Monsoon, Rupees eleven, annas one, and pies nine, a month—(the same amount of Tentage that they draw during the camp season),—and those who merely use Tents for Office purposes are only to draw, during the Monsoon, Tentage Allowance, at the same rate that they did during the fair season, viz. the half of Rupees eleven, annas one, and pies nine."

TENTS—Advances may be made to Assistant Collectors under the rank of a First Assistant, for purchase of ——, if applied for.

General Department.

With reference to the Government Notification of the 23rd December last, the Right Honorable the Governor in Council is pleased to sanction Advances to be

made to all Assistants under the rank of First Assistant, for the purchase of Tents, if applied for; their monthly Tent Allowance ceasing until such advances are paid.

By order, &c.,
W. H. WATHEN,
Chief Secretary.

Bombay Castle,
21st June 1836.

TENTS—District Deputy Collectors to be allowed an advance of Rs. 400 to purchase a suit of —— .

No. 1490 of 1853.

Territorial Department—Revenue.

To the REVENUE COMMISSIONER S. D.

Copy of a Resolution passed by Government, under date 10th March 1853, on a Report by the Civil Auditor, No. 911, dated 23rd February 1853, stating, with reference to an Endorsement No. 444, dated the 15th idem, from the Revenue Commissioner S. D., with accompaniment, that as the District Deputy Collector of Sholapoor lives, and holds his Office, in Tents, there is no objection to the sanction of Government being given for the advance of Rs. (400) four hundred, for the purchase of Tents.

Authorised.

2. The Revenue Commissioner of both Divisions to be informed, for communication to the several Collectors.

H. E. GOLDSMID,
Secretary to Government.

TENTS—The Tentage Allowance to Collectors intended to provide for the requirements of their Office as well as for their personal accommodation.

No. 9270 of 1851.

Territorial Department—Revenue.

To E. G. FAWCETT, Esq., Revenue Commissioner S. D.

SIR,—I have been directed to acknowledge the receipt of your letter No. 3078, dated the 22nd ultimo, handing up a correspondence arising out of an application made by the Collector of Poona for a Tent, for the accommodation of his Office and Records, while travelling in the Districts on Circuit.

2. The Tentage Allowance to Collectors was, the Right Honorable the Governor in Council is of opinion, intended to provide for the requirements of their Office, as well as for their own personal accommodation, and is not to be regarded as otherwise than adequate.

3. As any increase must be general, it would involve a considerable charge, and

His Lordship in Council sees no sufficient reason for entertaining such a proposition.

I have, &c.,
A. MALET,
Chief Secretary to Government.

Bombay Castle,
18th September 1851.

TESTIMONIALS (OF CHARACTER)—Rules for giving —— to Public Servants. *See Government Circular No.* 1806 *of* 1845, *under* "Certificates."

TESTIMONIALS (OF CHARACTER)—All —— which Officers under a Collector or Sub-Collector may wish to give Subordinates, to be addressed in the form of a letter to the Collector or Sub-Collector. *See Revenue Commissioner's Circular No.* 1965 *of* 1854, *under* "Certificates."

TIMBER—The right of Felling —— should not be alienated with Villages.

Circular.
No 992 of 1851.
Territorial Department—Revenue.
To all the COLLECTORS, and the Chief INAM COMMISSIONER.

SIR,—The Right Honorable the Governor in Council has been pleased to direct, that in all cases of new Grants of Villages, &c., and also whenever practicable, in cases of adoption, or recognition, as an act of grace, of title or succession, the right of Felling wood should never be alienated with the Village.

I have, &c.,
H. E. GOLDSMID,
Secretary to Government.

Bombay Castle,
3rd February 1851.

TIMBER—As to whether the Revenue Survey Rules should have *retrospective* effect in regard to the occupancy of Land and the right to —— growing on it. *See Government Resolution No.* 3639 *of* 1852, *under* "Land."

TITLES.—Applications for the bestowal of the Title of "*Rao Saheb*" on Public Servants, to be submitted only under circumstances clearly constituting special claims.

No. 3392 of 1847.
Territorial Department—Revenue.
To D. A. BLANE, Esq., Revenue Commissioner N. D.

SIR,—With reference to your endorsement No. 1286, dated the 5th instant, on a letter from the Collector of Broach, submitting an Application from Narrain Rao Luxmunjee, his Head Accountant, for the bestowal on him of the title of "Rao

Saheb," I am directed by the Honorable the Governor in Council to observe that the value of Titles of this kind depends much on the discrimination with which they are conferred, and that unless Government is prepared to extend the honor to all Head Accountants, *ex-officio* (which there seems no sufficient reason for), the Governor in Council considers there is nothing in the present case which should make it an exception ; and he desires me therefore to request that you will decline forwarding applications of this kind,—unless, under circumstances so clearly constituting a special claim as to make it probable it would be admitted.

I have, &c.,
W. ESCOMBE,
Secretary to Government.

Bombay Castle,
18th August 1847.

TOLLS—The most effectual precautions to be taken to prevent extortion or oppression on the part of the Collectors of —— on Roads and Bridges. They should be levied only in localities where great natural impediments to intercourse have heretofore existed, &c.

Extract from a Despatch from the Honorable the Court of Directors to the Government of India, in the Public Department, under date the 29th June 1853, *No.* 41.

Legislative Letter, dated 30th December, No. 22, 1851.

"37. The levy of Tolls on Roads and Bridges will require the most effectual precautions to prevent extortionate or oppressive conduct on the part of the Toll Collectors, and the most careful selection of the points at which the Tolls are to be levied so as to give ready access for redress against petty exactions to some near European authority. We shall expect to receive reports on the operation of this law in every instance in which it has been carried into effect; and we have to express our desire that it be applied only in those localities, (to use the words of the Bombay Government) 'where great natural impediments to intercourse have heretofore existed, and for the removal of which Government may have incurred an unusually large expenditure.'"

Also Bombay Public letter, of 17th April, No. 38, 1850.
Reporting that, with reference to correspondence with the Government of Madras and Bombay on the subject, an Act VIII. of 1851 was passed, giving a general authority to the several Governments of Bengal, the North-Western Provinces, Madras, and Bombay, to levy Tolls on Public Works and Bridges.

The above remarks should be communicated to the local Governments.

(True extract)
GEO. COUPER,
Offg. under Secy. to Govt. of India.

TOURS—Orders regarding the procuring and maintaining of Carriage by Collectors and their Assistants while on their —— ; the payment of Hire ; &c. *See Government Letter No.* 2877 *of* 1848, *&c. &c., under* "Collectors and Assistants."

TOURS.—Public Officers drawing District Travelling Allowance, and, who, to avoid passing through Feverish places, proceed by sea to the nearest Port in their charge, are bound to keep up permanent carriage immediately on landing. *See Extract paras. 2 and 3 of Revenue Commissioner's Memorandum No. 419 of 1854, under* " Deputation."

TOURS—Collectors when on their —— permitted to encamp in cool and healthy localities within their charges for reasonable periods, provided no inconvenience be occasioned to the Public Service. *See Government Memorandum* No. 983 of 1851, *under* " Collectors and Assistants."

TRADE—The restrictions against Covenanted Servants engaging in —— or in any Commercial dealings, made applicable to all Uncovenanted Servants.

Notification.

General Department.

It is hereby notified, for the information of the parties concerned, that the existing restrictions against the Covenanted Servants of the Honorable Company, engaging in Trade or in any Commercial dealings, apply with equal force to all Uncovenanted Servants.

By order, &c.,
W. S. Boyd,
Acting Secretary to Government.

Bombay Castle,
4th September 1839.

TRANSIT DUTIES—The Levy of —— of every description, whether by Land or Sea, prohibited.

Notification.

Territorial Department—Revenue.

In conformity with the provisions of Act XX. of 1839, Section III., which require that, before any person can be punished for an offence of levying any Hucks and Fees of any description and Customs, whether by Land or Sea, or of any alienated share of Revenue, after the same shall have been abolished or relinquished by Government, the order of Government for such abolition or relinquishment should be published in the *Government Gazette* of the said Presidency: Notice is hereby given, that the Levy of Customs by Land or Sea, and of any Hucks and Fees of every description on the Sea Customs, and Transit or Inland Customs Duties throughout this Presidency, which were abolished by Sections I. and II., Act I. of 1838, has been, from the promulgation of the said Act, prohibited, and the prohibition is hereby notified.

By order, &c.,
L. R. Reid,
Chief Secretary to Government.

Bombay Castle,
11th January 1841.

TRANSIT DUTIES—Whenever persons, holding redeemable Bonds for compensation for the abolition of ——, die without heirs, Collectors are to recover such Bonds through the Civil Court administering to the Estates of such persons.

Circular.

No. 122 of 1851.

Territorial Department—Revenue.

To all the COLLECTORS.

SIR,—I have been directed by the Right Honorable the Governor in Council to request, that whenever persons holding redeemable Bonds for compensation for loss sustained by the abolition of Transit or Town Duties, &c., may die without heirs, you will be good enough to recover such Bonds through the Civil Court administering to the estates of such persons.

I have, &c.,
H. E. GOLDSMID,
Secretary to Government.

Bombay Castle,
8th January 1851.

TRANSLATIONS—Errors in —— of Native Documents to be pointed out.

Circular.

No. 4796 of 1852.

Territorial Department—Revenue.

To the REVENUE COMMISSIONER S. D.

SIR,—I have been directed to request, that when Translations or Abstracts of Native Documents are sent with the Originals to you, you will have the goodness to point out to the transmitting authority any errors affecting the meaning which you may notice as having occurred in the Translation.

I have, &c.,
A. MALET,
Chief Secretary to Government.

Bombay Castle,
15th July 1852.

TRANSLATIONS—Comments on the correctness of —— of Enactments to be communicated to the authority furnishing such Translations. *See Government Circular No. 5624 of* 1852, *under* "Acts."

TRAVELLING ALLOWANCE—Purposes for which —— is given to Revenue Officers.

Extract, being para. 1 *of a Letter from Government to the Revenue Commissioner S. D., dated 5th September* 1834, *No.* 2385.

"Para. 1. I am directed by the Right Honorable the Governor in Council to acknowledge the receipt of your letters dated the 2nd and 13th ultimo, and to

acquaint you that the 'Deputation Allowance' is intended to cover the extra private expenses to which Officers are subjected in moving about the country, and in which must be included the carriage-hire of their personal Tents. It was never contemplated that from this extra allowance should be defrayed the expense attendant on the carriage of the public records, which expense should be borne by Government."

TRAVELLING ALLOWANCE.—The Allowance granted to Officers in Civil employ, for defraying their travelling expenses, to be termed "*District Travelling Allowance.*" *See Government Circular of* 16*th July* 1851 *(page* 102*), under* "Allowances."

TRAVELLING ALLOWANCE—Bills for —— to be sent to the Civil Auditor direct.

Extract, being para. 2 *of a Letter from Government to the Revenue Commissioner S. D., dated* 20*th July* 1832, *No.* 2135.

"Para. 2. The Bills for Deputation Allowances received with that List (numbered 1 to 7), I am instructed to return to you, and to observe that as no Officer proceeds on Deputation without the previous sanction of Government, Bills for 'Deputation Allowances' need not be submitted to it to be passed, but should be sent direct to the Civil Auditor."

TRAVELLING ALLOWANCE—Civil Auditor prescribes a Form of Declaration to be affixed to all Abstracts for —— .

Circular.

No. 892 of 1851-52.

General Department.

To ——————— .

SIR,—In order that the further Declaration to be given at the foot of Abstracts for "District Travelling Allowance," as directed in the 2nd para. of the Government letter No. 11838, of the 20th December last,* be uniform, I have the honor to transmit to you the accompanying Form, and request you will have the goodness to cause it to be observed in framing your own and your Assistants' further Abstracts for "District Travelling Allowances."

G. J. BLANE,
Acting Civil Auditor.

Bombay Castle, Civil Auditor's Office,
19th February 1852.

(Form.)

"I do further declare that, in conformity with the instructions conveyed in the Government Circular No. 11838, dated the 20th December 1851, I have kept up, during the whole period, carriage sufficient to enable me to move my Tents and Baggage without further assistance."

A. B.,
Collector.

* See at page 256.

TRAVELLING ALLOWANCE—The Abstract of a Civilian entitled to permanent District ——, and who keeps up permanent Travelling Establishment, not to be checked by Civil Auditor when he is brought into the Hoozoor to give evidence in a Civil Suit.

No. 2488 of 1854.

Territorial Department—Revenue.

To the REVENUE COMMISSIONER N. D.

Copy of the Resolution passed by Government, under date 29th May 1854, *on the Papers noted in the margin, relative to an Abstract for District Travelling Allowance to Mr. Oliphant, Acting First Assistant Collector, Kaira, which has been checked by the Civil Auditor on account of his having been brought into the Hoozoor to give evidence in a Civil Suit.*

Memo. by the Collector of Kaira, No. 136, dated 5th April 1854, with accompaniments.
Report by the Civil Auditor, No. 1243, dated 15th April 1854.

Government are of opinion that the Abstract of a Civilian, entitled to permanent District Allowance, and keeping up permanent Travelling Establishment, should not be checked on account of his having been brought into the Hoozoor to give evidence in a Civil Suit, unless his detention for any considerable period, or unless the application for his evidence appears to have been unnecessary and vexatious; in which latter case the Civil Court should be requested to cause the expense of the Witness, at the rate allowed by Government, viz. Rs. (5) five or Rs. (10) ten per diem, to be made good.

2. In no case, however, should the Officer himself lose the District Travelling Allowance, whilst keeping up permanent carriage, and being detained as a Witness by order of a Civil Court.

H. E. GOLDSMID,
Offg. Chief Secy. to Government.

TRAVELLING ALLOWANCE is not to be admitted to Assistant Collectors while acting for Collectors at Head Quarters. They are, however, entitled to an extra amount of Rs. 200 per mensem in addition to their acting Salary, &c. *See Government Letters No.* 5078 *of* 1851, *and No.* 176 *of* 1852, *under* "Assistant Collectors."

TRAVELLING ALLOWANCE—Assistant Collectors called into the Hoozoor on duty for a few days may draw their District ——, provided they keep up Baggage "Carriage" during the period charged for.

No. 3090 of 1854.

Territorial Department—Revenue.

To the ACTING REVENUE COMMISSIONER S. D.

Extract para. 3 *of the Resolution passed by Government, under date 26th June* 1854, *on an Audit on the Abstract of District Travelling Allowance to the*

Supernumerary First Assistant Collector of Dharwar whilst in charge of the Talooka of Hooblee, for the Month of April 1854, *submitted by the Civil Auditor, under date the* 10*th June* 1854, *No.* 1051.

"Para. 3. Mr. Erskine's suggestions to be adopted,—the fact of the Assistant having been unavoidably called to the Head Quarter Station and the cause being set forth in the Quarterly Return of the manner in which Assistant Collectors have been employed."

C. E. F. TYTLER,
Offg. Secretary to Government.

Extract para. 2 *from the Remarks by the Civil Auditor made under date the* 10*th June* 1854, *on an Abstract of District Travelling Allowance to the Supernumerary First Assistant Collector of Dharwar, for the Month of April* 1854.

"Para. 2. The Civil Auditor takes this opportunity of submitting, for the consideration and orders of the Honorable Board, with reference to the 2nd para. of the Government Resolution No. 2488, of 29th May 1854, whether Assistant Collectors, who are obliged to keep up permanent carriage, when called in from the Districts to the Hoozoor for a few days (say to the extent of a week) on duty, (other than that of taking charge of the Collectorate) may not be permitted to draw District Travelling Allowance under a certificate that they have kept up their carriage for the period charged for."

(True extract)
C. E. F. TYTLER,
Offg. Secretary to Government.

TRAVELLING ALLOWANCE—The days for which District —— is to be granted to Assistant Collectors visiting the Hoozoor, for private purposes, &c. &c. *See Government Resolution No.* 6014 *of* 1853, *under* "Assistant Collectors."

TRAVELLING ALLOWANCE—Collectors and Sub-Collectors may visit the Hoozoor Station on Sundays immediately following Holidays, without loss of ——, if at the time the Holidays occur they are actually keeping up Carriage.

Extract para. 4 *of Government Letter to the Revenue Commissioner in charge of the S. D., dated the* 1*st June* 1848, *No.* 3181.

"Para. 4. In reply to para. 6 of Mr. Townsend's letter under acknowledgment, I have been desired to acquaint you, that the Rules of April 1833 are evidently applicable only to Assistant Collectors on permanent deputation, and not to Collectors and Sub-Collectors who are never sent out on permanent deputation; but that His Lordship in Council will not now object to the indulgence being extended to the latter Officers, if, at the time the Holidays occur, they are actually keeping up carriage, as directed in para. 2 of the Government letter of 19th ultimo, No. 2877."*

* See at page 255.

TRAVELLING ALLOWANCE—Collectors and Assistants are entitled to —— when transferred from one appointment to another of the same Grade and Pay, *to meet the exigencies of the Public Service. See Government Letter No.* 3671 *of* 1853, *&c., (page* 253,*) under* " Collectors and Assistants."

TRAVELLING ALLOWANCE—District Deputy Collectors not to draw their District ——, until they start for the District to which they may have been appointed.

Extract, being para. 2 *of a Government Resolution, dated the 5th November* 1852, *No.* 7216, *addressed to the Revenue Commissioner S. D.*

" Para. 2. It will be seen from Government Resolution, of 13th October, (No. 6536), * * * that the newly appointed District Deputies are not to be allowed to commence drawing " District Travelling Allowance" until they have quitted the Hoozoor Station for the Districts to which they may have been appointed."

No. 6536 of 1852.

Territorial Department—Revenue.

To the First Assistant Collector of Kaira in Charge.

Copy of the Resolution passed by Government, under date 13*th ultimo, on a Letter from the First Assistant Collector of Kaira in Charge, No.* 941, *dated* 21*st September* 1852, *soliciting instructions as to whether the " District Travelling Allowance" of Rupees three* (3) *per diem, granted to the District Deputy Collector, is to commence from the date of his proceeding into the Districts, or whether he is to be considered as on permanent Deputation like the Covenanted Assistants.*

The District Deputy is to be placed in charge of a District immediately that he joins his appointment, and forthwith to proceed into that District, and draw his " District Travelling Allowance."

* * * * * * *

A. Malet,
Chief Secretary to Government.

TRAVELLING ALLOWANCE to be granted to Deputy Collectors when transferred from one Zillah to another, without addition to Pay,—one day being allowed for every fifteen miles. *See Extract of Government Resolution No.* 3676 *of* 1853, *(page* 331,*) under* " Deputy Collectors."

TRAVELLING ALLOWANCE and Tentage are admissible to District Deputy Collectors when called to the Hoozoor on duty. *See Extracts of Government Resolutions No.* 4031 *of* 1853, *and No.* 4455 *of* 1853, *under* " Deputy Collectors."

TRAVELLING ALLOWANCE—District Deputy Collectors are permitted, while at the Sudder Station during the Monsoon, to draw their District —— for three months.

See Government Resolution No. 3262 *of* 1853, *(page* 330,*) under* "Deputy Collectors."

TRAVELLING ALLOWANCE—Assistant and Deputy Collectors continuing at the Hoozoor on any Sundays immediately following Holidays, not to lose their District ——. *See Government Resolution No.* 2213 *of* 1854, *under* "Assistant Collectors."

TRAVELLING ALLOWANCE—The Government Orders,* of 20th December 1851, No. 11838, requiring permanent Carriage to be kept up during the whole period on which District —— may be drawn not applicable to Assistants in the Survey Department.

No. 7 of 1852.

From Lieut. J. FRANCIS, Superintendent Revenue Survey, Poona,

To W. COURTNEY, Esq., Revenue Commissioner S. D.

SIR,—With reference to your memorandum No. 4102, dated 27th December 1851, transmitting copy of the Government letter No. 11838, dated 20th December 1851, and requesting its instructions to be communicated to my Assistant, I have the honor to inform you that, as an Assistant in the Survey does not draw District Travelling Allowance, but receives only Rs. 75 a month, Office Tentage Allowance, in addition to his consolidated Civil pay, it appears to me, that the above order does not apply to his case. I would beg, therefore, under these circumstances, to request your further instructions on this point.

2. I would also beg you will inform me whether this order is to apply to the Monsoon months, when Survey Officers are always employed at their Head Quarter Station.

I have, &c.,

Poona Districts, Camp Maon,
5th January 1852.

J. FRANCIS,
Superintendent Poona Revenue Survey.

No. 68 of 1852.

From W. COURTNEY, Esq., Revenue Commissioner S. D.,

To Lieut. J. FRANCIS, Superintendent Poona Revenue Survey.

SIR,—In reply to your letter No. 7 of 5th instant, I have the honor to inform you that, as the orders you refer to make it compulsory on all Officers under this Department, performing Civil Duties, to keep up Carriage for the whole period that *they are drawing District Travelling Allowance*, it is, I think, evident that Officers, who draw no such District Travelling Allowance, cannot be included; if, therefore, your Assistant receives no allowance of this nature, I conceive the orders in question are not applicable to him.

2. I conclude it is not intended to make it compulsory on Officers to keep up

* For these orders see under "*Collectors and Assistants*," at page 256.

permanent Carriage, during the monsoon months, when they do not require to move their Tents and Baggage in their Districts.

3. A copy of your letter and of this reply will be sent for the approval of Government.*

* Approved by Government on 26th January 1852, No. 588.

I have, &c.,
W. COURTNEY,
Revenue Commissioner S. D.

Rev. Com.'s Camp, Belgaum,
10th January 1852.

TREASURIES—The amount of Treasure to be allowed to accumulate in the District —— .

Extract, being paras. 2, 3, 4, 7, *and* 10 *to* 17, *of a Letter from the Revenue Commissioner S. D. to Government, No.* 3029, *dated* 26*th November* 1853.

"Para. 2. The Collector of Poona states* that he sees no objection to the amount of Treasure being increased to Rs. (1,000) one thousand in each Mahal, and 'proportionately in each District Treasury.' In Districts where public works are going on, he remarks, it saves time and trouble to allow larger sums to remain in hand, instead of having to send to the Hoozoor for money, which actually may have been consigned only a few days previously. In these cases, he thinks, the Collectors should be allowed a discretionary power to authorise Mamlutdars to keep in hand sufficient to meet the requirements of the Public Works Department.

* Report No. 2163, of 3rd October 1853.

"3. The Acting Collector of Ahmednuggur* reports that, in his Collectorate, the Mamlutdars are authorised to retain their collections till they amount to Rs. (10,000) ten thousand, and the Mahalkurrees till they amount to Rs. (2,000) two thousand, when they are directed to remit them, which is done on carts or bullocks, under the protection of the Police,—the cost of transport being charged in Contingent Bills. The amount which it may be expedient to fix as the maximum to be retained at the Districts Treasuries should, Mr. Bell thinks, be regulated by the security or insecurity of the locality, and the means of protection in each case.

* Report No. 1999, of 8th October 1853.

"4. The Collector of Sholapoor* states, that since the receipt of the Government Circular No. 1987,† of 22nd September last, orders have been issued to the Mamlutdars, prohibiting any larger amount than Rs. (10,000) ten thousand being despatched under an escort of Police. He concurs with the Collector of Ahmednuggur in thinking that Mamlutdars might be permitted to retain Cash Balances to the above amount, and Mahalkurrees up to Rs. (2,000) two thousand; but, in regard to the latter Officers, he suggests that, for the first ten days after the commencement of each instalment, they also should be permitted to retain collections to the amount of ten thousand rupees. The punctual realization of Revenue due in each Village within the first two, or at least three, days of each

* Report No. 829, of 19th October 1853.

† Judicial Department, Police.

Instalment would, he thinks, render such an arrangement easy; and such punctuality would very much relieve the Village and Talooka Authorities, and give them leisure to attend to every other description of business without interruption, between the periods of realization of one Instalment, and the falling due of the next. The saving of trouble to the Mahalkurree and his Establishment which would attend this proceeding, would also make him exert himself to insist upon punctuality in the Villages. If, he adds, the prohibition conveyed in the Circular above quoted did not exist, he would have proposed that the Mamlutdars should likewise be allowed to retain all that they might receive during ten days from the date on which each Instalment becomes due, to the extent of Rs. (20,000) twenty thousand. 'With the exception of these periods, however,' he states in conclusion, 'and in such special cases as the Collectors might direct differently,—for the objects alluded to by Mr. Jones,—the Mamlutdars should be restricted to Rs. (10,000) ten thousand, and the Mahalkurrees to Rs. (2,000) two thousand, as Cash Balance to be kept in their Treasuries.'

* * * * * * *

"7. The Collector of Rutnageeree states that, in the Hurnee and Malwun Treasuries, large sums are required for the quarterly payment of Pensioners. At Vengoorla a detachment of Troops has to be paid monthly, as well as advances to the Commissariat Department. Large sums are also being continually received at this Station and Malwun from the Customs Department, on account of the Salt, Excise, and Customs' duties; and, at the former place, sums are paid into the Treasury by the Waree Government. The Treasure, however, is not kept in the Mahal, but at the Factory, under a guard of Regulars. At Chiploon, Pensioners have to be paid quarterly; but the surplus money of this Treasury is forwarded to Hurnee, —the Mamlutdar's Kutcherry being situated in the Fort, and the demands for money being more frequent for payment of the Troops and Pensioners at Dapoolee. The money from the Rajapoor Treasury is brought to Rutnageeree.

* * * * * * *

"10. It thus appears that the Collectors of Sholapoor, Ahmednuggur, and Poona, advocate an increase of the Balance retainable by Mamlutdars, and propose that these Officers should keep their Treasure till it reaches Rs. (10,000) ten thousand. For Mahalkurrees the two first Collectors propose Rs. (2,000) two thousand; Mr. Jones proposes only Rs. (1,000) one thousand. In Dharwar the sums fixed are already Rs. (10,000) ten thousand and Rs. (1,000) one thousand. Mr. Inverarity, the Collector of Belgaum, does not object to these sums; and admits the necessity of causing Mamlutdars to retain as much as Rs. (10,000) ten thousand for their expenditure during the rains.

"11. The Collector of Rutnageeree would allow of Mahalkurrees keeping as much as Rs. (500) five hundred before remitting. He proposes no particular

amount for Mamlutdars; and he mentions circumstances which go to show, that there is an amount of security as well as risk and difficulty attachable to the Southern Konkun, which is not felt in any thing like the same degree in the country above the Ghats.

"12. It is not mentioned by the Collectors, but I believe it is customary everywhere to permit of Mamlutdars keeping out of the last collections sums sufficient to cover the expenses of the monsoon months; and, as regards the collecting season, I would further remark, that it is not, I believe, intended, while Revenue is being rapidly paid, that an Officer should make a remittance the moment a specific amount has accumulated. In such a case, he should wait until the payments slacken,—and, practically, I believe, this is the rule.

"13. With these preliminary remarks, I beg to recommend that the opinions of the Collectors of Sholapoor, Ahmednuggur, and Poona, be adopted as regards the sum retainable by Mamlutdars in the Deccan and Southern Mahratta Country. For Mahalkurrees I would propose the sum of Rs. (1,000) one thousand, except in Mahals where the revenue collected by these Officers is unusually large, and the Guard at their disposal sufficiently strong; and then I see no objection to its being increased to Rs. (2,000) two thousand, or even Rs. (3,000) three thousand.

"14. Mamlutdars, as well as Mahalkurrees, ought always to keep in their hands a sufficient sum to meet their current monthly expenditure, and any extraordinary demands which may be expected.

"15. Out of the last collections, a sum should be retained in the District Treasuries, which may enable the Mamlutdars and Mahalkurrees to satisfy all demands upon them, without reference to the Hoozoor, during the rainy months.

"16. With respect to Rutnageeree, I am inclined to concur with Mr. Coles in the opinion which he has expressed on the difficulty of laying down any specific sum for the Mamlutdars under his orders. He may, if Government think fit, be allowed to proceed as he now does—relieve his District Treasuries of their surplus cash as the weather permits, provide for its security, and transfer it to places where it is needed, as opportunity and occasion require. His Mahalkurrees may, however, be authorised to retain their collections until they reach Rs. (500) five hundred.

"17. The remarks above made, in paras. 14 and 15, may be made applicable to all the Soobha Treasuries of Rutnageeree. But, if Mr. Coles considers the Mahal Treasuries to be too insecure to admit of their application, the sum required in excess of the proposed Rs. (500) five hundred, to meet the expenses contemplated, may be provided for safely in those of the Soobhas. It may, however, be remarked, that there may often be as much risk incurred in the frequent transfer of small sums from one place to another, as there would be in the removal of a single sum of moderate amount; and, therefore, it is advisable that the removal of money for the supply of the Mahalkurrees should be as unfrequent as possible."

N.B.—These suggestions were approved of by Government, under date the 2nd January 1854, No. 5.

TREASURIES—The procuring of the best Patent Locks for Hoozoor and District —— authorised by Government.

No. 364 of 1854.

Territorial Department—Revenue.

To the Acting Revenue Commissioner S. D.

Copy of the Resolution passed by Government, under date 17th January 1854, *on a Letter from the Acting Revenue Commissioner S. D., dated 3rd January* 1854, *No.* 15, *forwarding, with his observations thereon, a Letter from the Collector of Sholapoor, dated 24th October last (with enclosures), suggesting that "Chubbs' Locks" should be substituted for those now used in the Treasuries.*

Government will not object to the best Patent Locks being placed on the Hoozoor and District Treasuries; but instead of being obtained in the Bombay Market at a high price, they should be got from England: the number and size of Locks required should be ascertained and reported by the Accountant General, in order that measures may be taken to procure them.

H. E. Goldsmid,
Secretary to Government.

TREASURIES—Hoozoor Deputy Collectors to be placed in charge of —— in the same manner, and with the same responsibilities, (as affecting both the Collector and Deputy,) as in the case of Covenanted Assistants. *See Government Resolution No.* 6493, *of* 11*th October* 1852, *(page* 326,*) under* "Deputy Collectors."

TREASURIES—Cash Balances in —— to be examined on the 1st of each Month.

Circular.

Political Department.

To ——————— .

Sir,—I am instructed to inform you, that the Honorable the Governor in Council has resolved to extend to the several Treasuries subordinate to this Government, a salutary regulation that has long obtained, with respect to that at the Presidency, by causing the Monthly state of the Cash in each Collector's or Resident's Treasury to be ascertained and certified on the 1st of every month, which, at the several Collectorships, is to be performed by the Judge of the Station, proceeding in like manner as a Committee does at Bombay, and satisfying himself that the Cash in the Money-Bags and Treasure Chest corresponds with the Treasury Accounts of the day, of which, or any difference or deficiencies he may observe therein, he is, within twenty-four hours, to make his report to the Secretary to Government.

2. This duty is to be performed at the Residency, which may not be the Station of a Judge, by the Assistant to such Resident, or by the Surgeon or Assistant

Surgeon of the Station in the Assistant's absence, or where there may be no Assistant appointed.

I have, &c.,
F. WARDEN,
Chief Secretary to Government.

Bombay Castle,
11th September 1807.* [*s. o.]

No. 733 of 1840.

Territorial Department—Revenue.

To JOHN VIBART, Esq., Revenue Commissioner.

SIR,—I am directed by the Honorable the Governor in Council to acknowledge the receipt of your letter, dated the 20th ultimo, No. 1539, and to acquaint you that the plan proposed by you for the examination of District Treasuries by the Native Judicial Functionaries, will fully answer the purpose intended; and to authorise you to issue instructions for carrying it into effect wherever a Moonsiff may not be resident at the same Station as the Mamlutdar.

I have, &c.,
L. R. REID,
Chief Secretary.

Bombay Castle,
4th December 1840.

Extract, being para. 2 of Revenue Commissioner's Letter to Government, No. 1539 dated 20th November 1840.

"Para. 2. It is, I observe, determined to alter the present system, and only those Treasuries are to be examined which are at places where Moonsiffs reside. Under these circumstances a Committee formed of the Deshmookh and Deshpandè of the District, in conjunction with the First Karkoon, should be directed to make the examination, furnishing a report, bearing all their signatures, of their having done so, to the Collector: this would be, I conceive, a check equally as effective as the one now in force."†

Circular.

No. 1421 of 1852-53.

Territorial Department—Finance.

To the COLLECTOR of ———— .

SIR,—In supersession of previous instructions relative to the monthly examination of your Treasury, I have the honor to forward, for your information and guidance, two copies of a set of Rules which have been approved by Government, and to request that the course prescribed in those Rules may be strictly attended to.

† These orders have been made applicable to the examination of Stamps also. See the Revenue Commissioner's Circular No. 1500, of 27th May 1851, under "*Stamps.*"

2. I also enclose twenty-five copies of a revised "Form" for your Monthly Cash Balance Report, which, I beg, may be adopted at once.

I have, &c.,
E. E. Elliot,
Accountant General.

Bombay Castle,
Accountant General's Office,
23rd February 1853.

Rules for the Monthly Examination of Civil Treasuries.

1. The Hoozoor Treasuries of Collectorates shall be examined by Judges or Assistant Judges, and those of Political Officers by Military Committees, on the first of each month, unless that day should fall on a Sunday, or on a Holiday, when the examination shall take place on the following day.

2. The District Treasuries shall be examined by Moonsiffs, or, in their absence, by other responsible Native Officers, to be nominated by the Collectors.

3. The examination shall be conducted as follows:—

If the Balance is not in excess of Rs. 50,000, it shall be entirely counted monthly in the usual manner, that is, by weighments of one or two hundred rupees at a time.

4. Should the Balance usually exceed Rupees 50,000, it shall be counted on the 1st May and 1st November only, in the manner above described; and then such portion of it as it is probable may not be required during the month shall be repacked, and each bag tied up, and sealed with the Examining Officer's seal, and the bags placed in boxes or bins, with two or more locks, the keys of one of which locks shall be kept by the Examining Officer.

5. In the remaining months, Balances exceeding Rupees 50,000 may be thus examined. The whole of the bags, the seals of which may have remained untouched, shall be brought out from their boxes or bins: one out of every ten, at least, shall be selected by the Examining Officer, and its contents counted, as well as the Balance of Cash unsealed; and the sealed bags shall be weighed, without breaking the seals, against those selected for counting, after the counting shall have been effected; and the sealed bags shall be admitted to be correct, provided the difference, more or less, is not excessive.

[*Note.*—The average difference in the weight of the bags should be noted for future guidance.]

6. The Examining Officer or Officers, after duly examining the Treasury, shall sign a Certificate at the foot of the Monthly Report, to the following effect:—"I, or we, have counted the Cash in the Hoozoor Treasury in the prescribed manner, and do hereby certify that the above is a true Return of the amount, and that that amount has been recorded in the Hoozoor Books, and the entry signed by me, or us."

7. And the Collectors and Political Officers shall sign a further Certificate, on the same Report to the following effect:— "I have received Returns of the Balances of Cash in the District Treasuries, duly certified to have been examined by Native Judicial and other responsible Officers, and do hereby certify that the above is a true Return of the Balance in the Hoozoor Books under my signature."

E. E. Elliot,
Accountant General.

Bombay, Acct. Genl.'s Office,
23rd February 1853.

Monthly Report *of the Balance of Cash in the Treasuries of the* ——— ——, *on the 1st of* ——— 185 —.

	In the Hoozoor Treasury.	In the District Treasuries.
Company's Rupees		
Halves		
Quarters.....		
Eighths.....		
Bombay Bank Notes		
Half Annas		
Quarter ditto		
Pies		
Uncurrent Coins		
Gold		
Silver		
Copper		
	Rupees..	Rupees..
Total amount in the Hoozoor and District Treasuries.... Rupees		

—— have counted the Cash in the Hoozoor Treasury in the manner prescribed, and do hereby certify that the above is a true Return of the amount, and that that amount has been recorded in the Hoozoor Books, and the entry signed by —— .

1st ——— 185 — .

I have received Returns of the Balances of Cash in the District Treasuries duly certified to have been examined by Native Judicial and other responsible Officers, and do hereby certify that the above is a true Return of the Balance in the Hoozoor and District Treasuries of this ———, and that the same has been recorded in the Hoozoor Books under my signature.

——— Office
20th ——— 185 — .

To the Accountant General of Bombay.

TREASURIES—Rules for depositing Money in, and disbursing Money from, the District ——.

No. 209 of 1849.

Territorial Department—Finance.

To E. H. TOWNSEND, Esq., Revenue Commissioner S. D.

SIR,—I have been directed by the Right Honorable the Governor in Council to acknowledge the receipt of your letter No. 625, dated 3rd instant, and, with reference to your former letter No. 89, of 10th ultimo, to observe that it would, no doubt, be a serious interruption to business to require the Mamlutdar or Mahalkurree to witness each deposit of money in the Treasure Chest during the day; but this inconvenience might be obviated without the necessity for abandoning the advantage of having two distinct locks, which would be the case were the Shroff entrusted with the Treasure during the time the Chest is open for the transaction of business throughout the day.

2. At the commencement of business, the Chest should be opened by the Mamlutdar (or other party entrusted with the second key) and the Shroff, and a sufficient amount of money taken out to meet the probable demands of the day, of which a memorandum should be made both by the Mamlutdar and the Shroff; the Chest should then be closed and locked, each party taking his own key. The Shroff would then be responsible for the amount taken out, and for any Cash received during the day; and, at the close of business, should give the Mamlutdar a memorandum of the day's transactions, showing the sum originally taken out, the receipts and disbursements, and the balance remaining; and, after satisfying himself of the correctness of this, the Mamlutdar and Shroff should open the Treasure Chest and deposit the Balance in it, and again lock it, and take charge of their respective keys.

3. In the event of any unexpected demand on the Chest, or any payment being made into it, of a considerable amount in the course of the day, the Treasure Chest should be opened and again closed in the same manner, and with the same precautions, as at the close of the day, and the necessary funds taken out, or placed in it, as the case may be.

4. In this manner, it would, I am to observe, be impossible for money to be taken from the Treasure Chest without the concurrence of the Mamlutdar; whereas were it left open in charge of the Shroff during the day, it would be impossible for the Mamlutdar to satisfy himself of the correctness of the amount which it ought to contain at the close of the day's transactions, without counting afresh every Rupee which was then in it, which, in the event of much money being kept in it, would be a work of considerable time and trouble.

I have, &c.,

W. COURTNEY,

Acting Secretary to Government.

Bombay Castle,
27th February 1849.

TREASURIES—Nazirs may deposit, for safe custody, boxes of property in their Official Charge as Nazirs, in Collectors' ——; but the Collectors' Departments are not to be held responsible for the contents of such boxes,—the keys of which are to be kept by the Nazirs. These orders are to be held to be applicable to Moonsiffs in Talookas also.

Circular.

No. 8556 of 1850.

Territorial Department—Revenue.

To A. N. Shaw, Esq., Revenue Commissioner N. D.

Sir,—I have been directed by the Right Honorable the Governor in Council to transmit, for your information and guidance, the accompanying extracts of documents enumerated in the margin, on the subject of the refusal of the Revenue Authorities to receive charge of the sums deposited in the Treasuries by Nazirs and Native Judicial Functionaries under the Court's Circular Orders Nos. 43, 127, and 181.

Extract, para. 22, from the Report from the Judicial Commissioner for the Deccan and Khandesh, of the 1st December 1849.

Extract, para. 4, from the Letter from the Register Sudder Dewanee Adawlut, of the 20th April 1850.

2. You will perceive from these papers that the Judicial Commissioner is of opinion that the Nazir should have charge of, and be responsible for, the money deposited with him; but the Sudder Court are desirous that all sums above Rs. (100) one hundred should be placed in the Collector's Treasury, there brought to account as *deposit*, and paid out to the Nazir's order by such instalments as the latter Officer may require.

3. The plan of keeping money in deposit, and having accounts of deposits, receipt, and expenditure, has been found to work so ill, as to have led to its being prohibited; and the Governor in Council is of opinion that the trouble and responsibility of performing duties for which the servants of the Adawlut are highly paid, should not be imposed on the Revenue Officers.

4. His Lordship in Council has no objection to the Nazir being allowed to lodge, for safe custody in the Collector's Treasury, a box or boxes containing property of which he holds charge in his official capacity as Nazir; but for the contents of these boxes the Collector's Department cannot be held responsible; all that it has to do is, to see that the boxes are kept in a safe place, and not opened by any person but the Nazir or such other Officer as the Judge may think fit to name. The keys of the boxes must be kept by the Nazir, and if the Judge thinks fit there can be two locks on each box, the key of one remaining with the Nazir, and that of the other with the Judge or his Assistant.

5. The Judges of the Sudder Adawlut have been informed from the Judicial Department to the above effect.

I have, &c.,

H. E. Goldsmid,

Secretary to Government.

Bombay Castle,

21st November 1850.

Circular.

No. 1379 of 1850.

Territorial Department—Finance.

To A. N. SHAW, Esq., Revenue Commissioner N. D.

SIR,—Adverting to the Government Circular in the Revenue Department, No. 8556, dated the 21st ultimo, I have been directed by the Right Honorable the Governor in Council to inform you, that the instructions contained therein are applicable to Moonsiffs in the several Talookas of each Collectorate, as well as to Nazirs at the Sudder Stations.

I have, &c.,
H. E. GOLDSMID,
Secretary to Government.

Bombay Castle,
9th December 1850.

TREASURIES—Government Orders regarding the Deposit in —— of Money authorised by Government to be disbursed for Revenue Surveys and other Public Works, &c. *See Revenue Commissioner's Letter No. 2286 of 1849, &c., (page 72,) under* "Advances."

TREASURIES—No Gold Coin to be received into Public —— on account of payments to Government.

Territorial Department—Finance.

The Right Honorable the Governor in Council has been pleased to republish, for general information, the subjoined notification, issued by the Government of India, under date the 22nd December 1852 :—

No. 26.

Fort William, Financial Department,
The 22nd December 1852.

Notification.

By Section IX. Act XVII. of 1835 of the Government India, it was enacted, that thenceforward no Gold Coin should be a legal tender of payment in any of the Territories of the East India Company, and accordingly Gold ceased from the date of the passing of the Act to be a legal tender of payment in the Company's Territories in India.

But by a Proclamation issued on the 13th January 1841, Officers in charge of Public Treasuries were authorised freely to receive Gold Coins struck in conformity with the provisions of the same Act XVII. of 1835, at the rates indicated by the denomination of the pieces, until they should have passed certain limits of lightness, set forth in a table published with the Proclamation, or until further orders ; and Gold Coins have been thus received in liquidation of public demands up to the present date : Notice is now given, that so much of the Proclamation of the 13th

January 1841, as authorised the receipt of Gold Coins into the Public Treasuries of Government, will be withdrawn and cancelled from the 1st January 1853, and that on and after that date no Gold Coins will be received on account of payments due, or in any way to be made to the Government, in any Public Treasury within the Territories of the East India Company.

Gold will continue, as heretofore, to be received into any of the Mints within the Territories of the East India Company for coinage, under the Act and Rules at present in force for the coinage of Gold; but Mint Certificates for Gold Coins will be discharged in Gold only, and no such Certificate for Gold will be accepted in any Public Treasury in liquidation of public demands, or on account of any payment to the Government whatever.

Published by order of the Most Noble the Governor General of India in Council,

J. A. DORIN,
Secy. to the Government of India.

By order of the Right Honorable the Governor in Council,

H. E. GOLDSMID,
Secretary to Government.

Bombay Castle,
4th January 1853.

TREASURIES—None but Bank of Bombay Notes to be received at the —— under this Presidency. *See Government Notification of* 31*st July* 1844, *(page* 169,*) under* "Bank Notes."

TREASURIES.—In the construction or alteration of Kutcherries, the Treasury and Prisoners' Rooms to be so located that one Sentry can have his eye on both places, and render two Guards unnecessary. *See Government Resolution No.* 2081 *of* 1842, *(page* 230,*) under* " Buildings."

TREASURY GUARDS—Requisitions for "*High Caste*" Sepoys, in particular as ——, prohibited. *See Government Circular No.* 748 *of* 1836, *(page* 471,*) under* " Guards."

TREES—Rules for encouraging the Plantation of —— in the vicinity of Villages, &c.

No. 4755 of 1849.

Territorial Department—Revenue.

To E. H. TOWNSEND, Esq., Revenue Commissioner S. D.

SIR,—In acknowledging the receipt of your letter No. 2889, dated the 14th instant, I have been directed to inform you, that the Right Honorable the Governor in Council approves of the fresh Draft of Rules prepared by you for encouraging the Plantations of Trees in the vicinity of Villages.

I have, &c.,

A. MALET,
Chief Secretary to Government.

Bombay Castle,
31st July 1849.

Rules for encouraging the Plantation of Trees in the Vicinity of Villages.

The Sirkar desires to encourage the growth of Trees around Villages, both for the comfort of the people and of their cattle. In this view the Sirkar has been pleased to authorise small pieces of ground being made over to individuals and their heirs and successors, subject to the following conditions:—

1*st.*—That no grant to an individual or a joint family shall exceed two acres, except in particular cases, as near large Towns, &c. &c., where there may be much waste plain: all such grants to be recommended by the Collector, and approved of by the Revenue Commissioner.

2*nd.*—That the person to whom the ground is granted shall, as a condition of the continuance of the grant, bind himself to plant or sow therein, at reasonable distances (to be determined by the Collector as in Rule 7th), any of the Trees hereafter mentioned, and to rear the same with the necessary aid of water, and an enclosure of hedge, stone, or mud. *Cultivation*, however, of any vegetables or fruit trees, other than those specified below, will not be permitted. If these conditions are not complied with, the grant will forthwith be resumed, as shown in Rule 7th.

3*rd.*—That if the land so granted be within half a mile of the village, and if the person planting the Trees chooses to protect them by means of a hedge of "Newroong," or Prickly-pear, he shall be bound effectually to clear this away on the Trees having attained a size sufficient not to require its further protection.

4*th.*—That in all cases the piece of ground to be given shall, in the first instance, be made to the person whose house or field shall be nearest to the spot to be granted; and that in case he may not choose to accept it on the terms abovementioned, that it be offered to another person, and so on till accepted.

5*th.*—That the piece of ground thus to be granted shall not comprise that portion on which the Village cattle are accustomed to stand previous to their being driven to graze, but shall, in as far as possible, be chosen from the waste ground adjacent to Nullas, or portions near the site of the Village wall, &c. Should circumstances require it, however, cultivated land may be granted,—with the sanction of Government.

6*th.*—That in those villages where the quantity of "Gaeran" is large, there may be no objection to granting portions on the edge of it for the purpose abovementioned; but, as a general rule, the land set apart for cattle-grazing is as little as possible to be interfered with.

7*th.*—The smallest number of Trees to be planted on the ground thus granted shall be determined by the Collector in each case,—all the trees being the absolute property of the person who may have planted them,—provided always, that he shall replace such as die away, or are cut down by others, (within a period to be fixed by the Collector) in the immediate space, in such a way as not to

be interfered with, in their growth, by the roots of the trees which have been cut; and should he fail to replace such as die, or are cut down, to afford satisfactory reasons for his omission. A deliberate infringement of these Rules, after the planter has been warned in writing by the Collector to conform to them, will subject the land to resumption by the Collector, one year after such written warning has been issued.

8th.—That the benefit of the Rules be granted not only to the cultivating villagers, but to any of the Bullootèdars, Alootèdars, Bunyas, Weavers, and, in fact, to all classes of the villagers—not excluding Mhars and Mangs,—to whom ground may be granted in the vicinity of their respective holdings on the terms above recited.

9th.—The following Trees are enumerated as proper for planting :—

For Deccan Villages.	*For the Konkun and Ghat Villages.*
Mango.	Mango.
Tamarind.	Jambool.
Wur.	Unew.
Peepul.	Wur.
Mountain Neem.	Peepul.
Bukain or Buckan.	Nandrook.
Nandrook.	Phunnus.
Kurrunj.	Pal Phunnus.
Bhoker.	Dhoop.
Suras.	Deodar.
Keenaye.	Asana.
Jambool.	Kulum.
Asseen or Assana.	Shewun.
Shewun, and any others good for Timber or Fruit, excepting "Sindee," or the wild Date.	Keenjul.
	Aeen.
	Kurrunj.
	Tamarind, and any others good for Timber or Fruit, excepting "Sindee."

No. 1007 of 1851.

From T. C. Loughnan, Esq., Acting Collector of Sholapoor,

To W. Courtney, Esq., Revenue Commissioner S. D.

Sir,—I have the honor to report that there is, in the way I have hitherto construed the instructions of Government authorising the grant of ground in Inam for the purpose of planting Trees, considerable difficulty in carrying out the views of Government.

Letter No. 4130, dated 20th May 1850, and the Proclamation annexed to Printed Rules accompanying Government Resolution of the 23rd May 1851.

2. It is required that the plantations should be near to the villages. There are, I find, but very few instances of fields in the immediate neighbourhood of villages being uncultivated, and this for obvious reasons. The Tenants derive so much advantage from their cultivation, that they generally decline to plant, unless under

greater advantages than I conceive myself authorised to permit, and they will not, of course, willingly permit others to take portions of their lands for the purpose.

3. I request, therefore, your instructions,—*First*, As to whether I may be permitted to insist on a portion only of the land granted to be planted, say the half; and *Second*, Whether persons who, according to Rule XI. of the Joint Report, are required to obtain leave from Government Officers to cut trees, may be ejected from all or portions of the fields they may hold in the neighbourhood of the village, which may be required for the purpose of effecting these plantations.

I have, &c.,
T. C. Loughnan,
Acting Collector.

Sholapoor, Col.'s Camp, Beckinhall,
20th December 1851.

No. 27 of 1852.

From W. Courtney, Esq., Revenue Commissioner S. D.,
To T. C. Loughnan, Esq., Collector of Sholapoor.

Sir,—In reply to the first question proposed in the 3rd para. of your letter, dated the 20th ultimo, No. 1007, I have the honor to state, that the Rules sanctioned in the Government letter of 31st July 1849, No. 4755, do not admit of the grant of more land than it may be the intention of an individual or family to *plant with Trees*, and, consequently, preclude the exercise of the discretionary power contemplated by you.

2. If I rightly understand your second query, which seems to enquire whether present occupants of cultivated land can be ejected in cases where such land may be applied for, for the purpose of planting Trees, I beg to refer you to the 5th of the above Rules, which, apparently, renders such a course admissible only under *particular circumstances*—to be reported for the information and orders of Government.

3. A copy of this letter, with yours under reply, will be forwarded for the approval of Government.

I have, &c.,
W. Courtney,
Revenue Commissioner S. D.

Revenue Commissioner's Camp,
Belgaum, 5th January 1852.

No. 28 of 1852.

Territorial Department—Revenue.

True copy forwarded for the approval of Government.

W. Courtney,
Revenue Commissioner S. D.

Rev. Com.'s Camp, Belgaum,
5th January 1852.

Resolution on an Endorsement by the Revenue Commissioner S. D., No. 28, dated 5th January 1852, forwarding for the approval of Government copy of a Letter from the Collector of Sholapoor, and of his reply thereto, regarding the Rules laid down by Government for the Grant of Ground in Inam for the purpose of planting Trees.

The Right Honorable the Governor in Council is quite of the Revenue Commissioner's opinion as to the interpretation of the Rules, and, moreover, considers it would be objectionable to accord the discretionary power asked for by the Collector of Sholapoor.

2. The Rules relative to plantations appear sufficiently liberal, but in every case the importance of supporting the 5th Survey Rule, and so fostering the proprietary right of the Ryuts to their Fields far transcends that of getting a few trees planted in the neighbourhood of villages.

3. If liberty were given to oust a Ryut from cultivated land, as proposed by Mr. Loughnan, it is very probable parties would petition to plant trees, from motives of spite and enmity, on other people's land, and so open a door for abuse, and cause dissension in the village. If the Ryut in possession of land will not plant trees it cannot be helped; his not doing so does not form sufficient reason for his being ejected.

No. 800 of 1852.

Territorial Department—Revenue.

Copy of the above Resolution is sent to the Revenue Commissioner Southern Division for information and guidance.

By order, &c.,
H. E. Goldsmid,
Secretary to Government.

Bombay Castle,
4th February 1852.

TREES—Only a half an Acre in every hundred Acres of Arable Land in a Village to be granted under the Government Orders of 31st July 1849, No. 4755,* for the Plantation of —— .

No. 4130 of 1850.

Territorial Department—Revenue.

To E. H. Townsend, Esq., Revenue Commissioner S. D.

Sir,— I have been directed by the Right Honorable the Governor in Council to acknowledge the receipt of your memo. No. 2184, dated 3rd instant, with enclosures, relative to certain proposed Grants of Waste Lands in several Villages of the Uthnee District, in the Belgaum Collectorate, for the purpose of encouraging the planting of Trees.

* See at page 1035.

2. His Lordship in Council is of opinion that there should be a limit as to the quantity of land to be granted in any one village. The limit of one acre in every hundred of arable land was proposed by Captain Wingate, but this appears to His Lordship in Council to be too much, he is of opinion, one half acre per cent. will be sufficient.

3. The Right Honorable the Governor in Council has accordingly been pleased to sanction the proposed grants with the above limitation. The number of the Trees to be planted should be specified by the Collector, and, at the Annual Inspection of Cultivation, entries should be made in the Field Inspection Returns of the state of the Trees.

4. You will be so good as to inform all the Collectors under your control of the instructions given in this letter.

I have, &c.,
H. E. GOLDSMID,
Secretary to Government.

Bombay Castle,
20th May 1850.

TREES—Rights of Inamdars and Meerasdars to cut down —— defined; Rules on the same subject approved by Government.

Extract, being paras. 2 to 7 of a Letter from Government to the Revenue Commissioner S. D., dated 12th February 1847, *No.* 390.

"Para. 2. From the correspondence which has passed on this subject, it would appear that the rights of Inamdars and Meerasdars to cut Trees growing on their lands have never (unless the solitary instance of the reported practice in the Nassick Sub-Collectorate be deemed an exception) been interfered with, either under the late or the present Government; and that while restrictions have, in a greater or less degree of stringency, existed in the Deccan and Southern Mahratta Country against the felling of Trees in Gutkool, or other lands belonging to Government, the Ryuts have never been refused permission to cut Timber in such lands when it has been required for the construction of agricultural implements, houses, &c. &c.

"3. The condition which has lately been enforced in the Sholapoor Collectorate in granting this permission, viz. that for every tree that is felled in Government land, twenty should be planted, appears to be the principal cause of the complaints received from that Collectorate. The labor which the process of planting and rearing such a number of Trees must involve, would, I am desired to remark, seem to be so disproportionate to the value of the Timber obtained in lieu thereof, as to deter persons from making applications for permission to cut Timber, and it would thus operate as a prohibition.

"4. The object which the condition has in view, is to provide against an exhaustion of the supply of Timber in Sholapoor; but in order to secure that object, it does not appear necessary, that so large a number as twenty Trees should be required to be planted in substitution for one felled, while it is the opinion of your

predecessor, that that number is not even desirable, except in lands to be devoted to plantations.

"5. The Governor in Council considers that it would be expedient to maintain the principle of this condition; but that if the number of Trees to be substituted for one cut be limited to two, instead of twenty, it would be sufficient to prevent a failure of the supply of Timber proceeding from a compliance with applications to be allowed to cut Trees in Government lands, and the Collector might grant special exemption from the operation of the condition when there seemed grounds for it.

"6. With the addition of a clause to this effect, and the modifications suggested by Dr. Gibson in his letter of the 17th April last, the Rules proposed by your predecessor seem to the Governor in Council to be calculated to check any wanton injury to Trees, and while they would cause no material deviation from the general custom of the country, they would secure to the Ryuts the means of supplying their real wants.

"7. The Rules are, therefore, with the modifications indicated in the above remarks, approved of by Government, and you are requested to issue the necessary instructions to the Collectors under your control for giving them effect in their Districts."

Rules proposed by the Revenue Commissioner S. D., under date 3rd January 1846, *No.* 16, *and approved of in the Government Letter above quoted from.*

1st.—All Trees upon lands in hereditary occupancy or uninterrupted enjoyment from a period anterior to the age of the Trees to be considered as the private property of the incumbent.

NOTE.—In a letter of 21st July 1848, No. 4214, Government intimated that these Rules were not intended to apply to *Teak Forests or Trees.*

2nd.—No Trees on Government lands, either waste or assigned to the present cultivators since the Trees were planted, to be cut without express permission.

3rd.—The permission above contemplated to be granted by the Patell and Koolkurnee for purposes connected with agricultural operations, a record thereof being kept for the inspection of Government Officers. For the other actual and immediate wants of the Villagers, such as repair of houses, &c. permission to be obtained from the Mamlutdar or Mahalkurree; but for cutting any large numbers, or for any purpose of sale or profit, the permission of the Collector, or one of his Assistants, to be necessary, when any conditions which may appear advisable can be imposed.

TREES—As to whether the Revenue Survey Rules should have *retrospective* effect in regard to the occupancy of Land, and the right to —— growing on it. *See Government Resolution No.* 3639 *of* 1852, *(page* 637,*) under* "Land."

TRIALS of Public Officers for Misconduct, &c., should be conducted by Officers who have

had no concern with the preparation of the cases against them. *See Extract para. 2 of Government Letter No.* 389 *of* 1845, *under* "Establishments."

TRIALS of Native Servants of long standing, or superior grades, not be confided to Junior and inexperienced Assistants or Deputies, &c. &c.

No. 6498 of 1853.

Territorial Department—Revenue.

To the Acting Revenue Commissioner S. D.

Copy of the Resolution passed by Government, under date 8th November 1853, *on a Letter No.* 2738, *dated the* 19*th September* 1853, *from the Revenue Commissioner N. D., submitting correspondence with the Collector of Surat, relative to the misconduct of Anund Rao Ragoonath Dolus, late Mamlutdar of Kurade, in that Collectorate.*

1. The attention of the Collectors should be drawn by the Revenue Commissioners to the following instructions issued by Government to the Collector of Dharwar, under date the 8th October 1842, No. 2880:—

> "Para. 4. You should, I am desired to state, if possible, avoid entrusting to your Junior Assistants the trials of Native Servants on your Establishment. These you should rather retain in your own hands, or confide to Assistants of some experience and standing in the Service, for there is often a party-feeling and rivalry mixed up in such cases, which make it more difficult to discover the truth than in the ordinary cases which come under the cognizance of an Assistant Magistrate."

2. Government regard the conduct of the Mamlutdar as improper and suspicious, but agree with Mr. Fawcett in opinion that, in addition to the fine already inflicted, reduction to a lower grade will be a sufficient punishment; it may be also as well to remove him to another Collectorate.

3. Government cannot, however, concur in Mr. Robertson's argument that an accused party being allowed to hear the evidence given by witnesses in his absence, and to cross-examine those witnesses, is equivalent to his being present all the time that the witnesses are under examination; it is much easier to prevent a witness brought forward by an unfriendly party giving untrue or highly coloured evidence, than to shake that evidence by cross-examination when once given.

4. Government do not, however, wish it to be understood as their opinion that the examination of witnesses at preliminary inquiries into the conduct of their Officials may not sometimes be necessary to elicit the truth.

A. Malet,
Chief Secretary to Government.

No. 7327 of 1853.

Territorial Department—Revenue.

To H. W. Reeves, Esq., Acting Revenue Commissioner S. D.

Sir,—With reference to the 1st para. of the Government Resolution No. 6498, dated the 8th ultimo, I am directed to inform you that, although the Right Honorable the Governor in Council does not consider it advisable to prohibit Assistant or Deputy Collectors from entertaining complaints relative to Mamlutdars and Mahalkurrees, as he apprehends the prohibition might have the effect of preventing misdeeds being brought to light, and impair the efficiency of the Assistants and Deputies; nevertheless, he requests that you will instruct the Collectors under your control to take care that Mamlutdars and Mahalkurrees are not harassed nor degraded by vexatious inquiries relative to their conduct being carried on by Assistant or Deputy Collectors, and that no lengthened inquiries are conducted by any but Assistants in whose experience and judgment the Collectors have full reliance.

2. The Assistant or Deputy Collectors, on entertaining a charge against a Mamlutdar, should immediately report to the Collector his having done so.

I have, &c.,

H. E. Goldsmid,

Secretary to Government.

Bombay Castle,
19th December 1853.

TUGGAI—The period when, and the circumstances under which, —— should be advanced to Ryuts.

Circular.

No. 1446 of 1829.

Territorial Department—Revenue.

To the Collector of ————.

Sir,—With reference to the many applications for permission to advance Tuggài which have been made subsequent to the setting in of the monsoon, the Honorable the Governor in Council instructs me to observe that, if the payment of these advances, which are intended to assist the poorer cultivators to procure seed, cattle, and the implements of husbandry, be delayed so long after the commencement of the sowing season, as has recently been the case in many instances, it is obvious that the Ryuts must either lose the most favorable opportunity of beginning to cultivate, or have recourse to money-lenders, and thus, in a great degree, defeat the chief object of a measure calculated to be so beneficial to the country, and attended with considerable risk to Government.

2. I am accordingly instructed to request you will ascertain in future, as accurately as practicable, the amount that will be required for the Districts under your

management, at a period sufficiently early to admit of its payment being sanctioned and received in the month of April or May of each year.

3. The Honorable the Governor in Council instructs me on this occasion to acquaint you, that Tuggài should never be given except on extraordinary occasions, when it appears absolutely necessary to relieve Ryuts from great and unexpected calamities, or when it may be requisite to bring waste lands into cultivation.

4. As a constant measure, the Honorable the Governor in Council is, however, of opinion, that it is liable to all the objections of annual remissions; it prevents things finding their natural level, and teaches the Ryuts to rely upon extraneous aid; and has also the effect of encouraging the idle and the worthless who will always be applying for this indulgence, and, when granted, often appropriate the advance to other purposes than those for which it was intended by Government.

5. To prevent these consequences, the Honorable the Governor in Council directs me to call your particular attention to the application of every sum advanced as Tuggài, which should in all cases be paid on the spot to the Ryuts themselves (under the superintendence of the Village Registrars or Karkoons deputed from the Kutcherry), and not at the Hoozoor, where such distributions are liable to be attended with various abuses.

I have, &c.,
T. Williamson,
Acting Secretary to Government.

Bombay Castle,
6th August 1829.

TUGGAI—Advances on account of —— to be restricted to the narrowest practicable limits.

Circular.

No. 1255 of 1842.

Territorial Department—Revenue.

To ——————.

Sir,—I am directed by the Honorable the Governor in Council to transmit, for your information and guidance, the accompanying extract, para. 23, from a Despatch from the Honorable the Court of Directors, dated the 26th January last, No. 2, restricting the practice of making Advances of Tuggài to the Ryuts to the narrowest practicable limits.

I have, &c.,
L. R. Reid,
Chief Secretary.

Bombay Castle,
29th April 1842.

Extract of a Letter from the Honorable Court, dated 26th January, No. 2 of 1842.

" Para. 23. We take this opportunity of reminding you of our desire that the practice of making Advances of Tuggài should be restricted within the narrowest practicable limits, and that the Ryuts should be taught

One hundred and twenty-three Advances of Tuggài for 1840-41 sanctioned.

to rely, as much as possible, on their own resources in the cultivation of their lands.

(True extract)

L. R. Reid,
Chief Secretary.

TUGGAI—Rules under which Advances of —— should be made in the several Collectorates. *(Approved of by Government, under date the 9th January* 1856, *No.* 60.*)*

1. Tuggài may be granted, without further sanction, to the extent shown opposite each of the following Collectorates of the Bombay Presidency, and under the conditions provided by the Rules subjoined:—

Government Resolution No. 4293, of 12th October 1855.

Ahmedabad	Rs.	7,500
Kaira	„	3,500
Broach	„	4,500
Surat	„	4,500
Tanna	„	7,500
Khandesh	„	9,000
Poona	„	5,000
Ahmednuggur	„	5,000
Sholapoor	„	3,000
Rutnageeree	„	None.
Belgaum	„	3,000
Dharwar	„	3,000
Sattara*	„	5,000

* The greater portion of Sattara being yet Unsurveyed, that Collectorate should be considered as entitled to special indulgence for the present, and the Collector might be allowed to make application for Advances in excess to the sum mentioned, if he should deem them necessary, for the benefit of Unsurveyed Talookas.

2. Tuggái may be granted at the discretion of the Collector for the following objects:—

Government Resolution No. 4293, of 12th October 1855.

Purchase of Seed.
Do. of Cattle.
Construction of New Wells, Tanks, Bundaras, whether for irrigation or other purposes; or repair of similar old works.
Building Houses.
Construction or purchase of Carts.

3. But in *Surveyed* Districts, Tuggài will not be granted for the purchase of Seed or Cattle, except in seasons of general drought or of murrain, and *never* for building Houses, or for Carts.

Government Letters No. 4880, of 21st June 1850, and No. 1624, of 24th February 1851; also Government Resolution No. 4293, of 12th October 1855.

The terms on which Tuggài will be granted are the following:—

Revenue Commissioner's Circulars Nos. 795 to 801, of 20th April 1839.

4. Repayment of Advances for the purchase of Seed to be made within one year.

Government Resolution No. 4293, of 12th October 1855.

5. Advances for the purchase of Cattle to be repaid within two years, but if possible within one year.

6. Repayment of Advances on account of any New or Old Work abovementioned to be made within three years in both Surveyed and Unsurveyed Districts. If the expense should be extraordinarily heavy, the Collector, in Unsurveyed Districts only, may allow a longer time, which, however, is in no case to exceed five years.

Ditto ditto.

7. The Collector will fix the amount and dates of the instalments according to which Tuggài is to be repaid. These instalments are to be punctually realized; and no new Advance is to be allowed while any Balance of a former Advance remains unpaid.

Revenue Commissioner's Circulars Nos. 795 to 801, of 20th April 1839.

8. Persons applying for Tuggài, must give satisfactory Security for repayment; such applicants only will be listened to. The security of a money-lender should, as a general rule, be discouraged.

Government Letter No. 647, of 16th February 1838.

9. Advances for works of irrigation or public utility, are to be granted to the extent of one-half of the estimated cost, and no more, as a general rule. The Collector, however, is vested with discretion to deviate from this rule for special reasons which he is to record.

Government Letter No. 6882, of 15th December 1849.

Government Resolution No. 4293, of 12th October 1855.

10. In the case of a new Well, Tuggài is not to be disbursed, until water shall have been struck at the expense of the applicant.

11. Simple interest to be charged at the rate of 5 per cent. per annum on all Advances, after the termination of one year from the date of Advance.

Revenue Commissioner's Circulars Nos. 795 to 801, of 20th April 1839.

12. In Unsurveyed Districts Tuggài will be allowed for building Houses, on the applicants agreeing that the Houses shall be substantial and tiled, not otherwise; and in these cases, as well as in those in which Tuggài may be granted for Carts, the Collector is to secure Government against loss, by requiring from the applicants mortgages of the property constructed or purchased.

Government Circular No. 668, of 19th February 1838, and Government Letter No. 1587, of 15th May 1851, para. 18.

Government Circular No. 2876, of 20th August 1831, and Order No. 2208, of 31st March 1852.

13. The terms and periods of the instalments are to be distinctly entered by the Collector in the Bond of the Principal and his Security.

14. The Collector is to satisfy himself that the persons to whom Tuggài is granted are really proper objects of indulgence. He is also to take precautions for ensuring Tuggài being paid into the hands of the persons for whom it is intended by his Mamlutdars,

Government Letter No. 4140, of 14th April 1851.

Government Letter No. 2052, of 7th September 1835, para. 18.

Mahalkurrees, or Head Karkoons, who alone should be employed on this duty, and be allowed to take receipts for payments.

15. Tuggài may be advanced in aid of contributions of Villagers for any useful work, to the extent of one-half such contributions, the Advance being entered as Revenue demands against the individual names of the Villagers, according to the fractional shares agreed to by them. The Collector may, however, increase the proportion of Tuggài for special reasons.

Government Letter No. 6882, of 15th November 1849.

Government Resolution No. 4293, of 12th October 1855.

Provided by Government Order of 6th August of 1829, and 31st May 1839, No. 1816.

16. Tuggài for Khurreef or Rubbee seed is not to be given earlier than May and September respectively.

17. In admitting applications for Tuggài on account of Works of Irrigation or otherwise, Collectors are to bear in mind the propriety of paying Advances seasonably, so as to admit of the works being commenced and finished in the year, without risk of damage.

Government Resolution No. 4293, of 12th October 1855.

Government Letter No. 454, of 5th February 1839, and No. 3766, of 1st August 1845.

Government Letter No. 1798, of 9th June 1837.

18. Collectors are not allowed to carry the unexpended balance of one year's allowance to the credit of the next. Care is to be taken that repayments fixed for distant periods are not lost sight of.

E. G. Fawcett,
Revenue Commissioner N. D.

H. W. Reeves,
Revenue Commissioner S. D.

TUGGAI—Orders regulating the Grant of —— for the Construction or Repair of Wells with a view to extending Irrigation. *See the Revenue Commissioner's Letter to Government, No.* 1355 *of* 1844, *&c., under* " Wells."

TUGGAI—Form of Statement to be adopted in applying for —— Advances each season.

Circular.

No 1224 of 1840.

Territorial Department—Revenue.

To all the Collectors.

Sir,—I am directed by the Honorable the Governor in Council to instruct you always to adhere to the accompanying form, in handing up to the Revenue Commissioner, annually, for submission to Government, a Statement, showing the amount of Tuggài required in your Collectorate.

I have, &c.,
L. R. Reid,
Chief Secretary.

Bombay Castle,
14th April 1840.

FORM.

STATEMENT *showing the Amount of Tuggài required during the Season of* 18— — *in the Collectorate of* ——————.

Talookas.	Amount applied for in 18— —.	Amount advanced in 18— —.	Amount required for 18— —.	Remarks.
Talooka (A).....	8,000	3,000	4,000	Here should be entered, in general terms, the cause of the Tuggài sanctioned for the past year not having been entirely issued, and also of any increase or decrease in the amount now applied for, as compared with that paid last year, and any other remarks or explanations which may seem to the Collector to be necessary.

L. R. REID,
Chief Secretary.

TUGGAI—Caution to be observed in recovering Advances of ——. Repayment not to be insisted on in bad seasons, &c.

No. 6396 of 1849.

Territorial Department—Revenue.

To E. H. TOWNSEND, Esq., Revenue Commissioner S. D.

SIR,—With reference to your memorandum No. 3867, of the 12th instant, on a Petition to Government from Urjoona wullud Suddaseo, of the Village of "Shendee," in the Ahmednuggur Talooka, dated 16th December last, I have been desired by the Right Honorable the Governor in Council to observe that, it is very probable that Tuggài Advances were made in an injudicious or indiscriminate manner, but that he begs that you will take care that their repayment is not insisted on in bad seasons, nor without a sufficient regard to the means of the Ryuts.

2. A general order for the recovery of outstanding Balances, whether due on account of Land Revenue or Tuggài, is often acted on in a manner which causes much distress to the Cultivators, and eventually much loss to the State.

3. The Petitioner has been informed that Government does not see sufficient reason to interfere in his behalf.

I have, &c.,
H. E. GOLDSMID,
Secretary to Government.

Bombay Castle,
24th October 1849.

TUGGAI—The description of Security to be taken in Advancing —— to Ryuts.

No. 647 of 1838.

Territorial Department—Revenue.

To T. WILLIAMSON, Esq., Revenue Commissioner.

SIR,—I am directed by the Right Honorable the Governor in Council to acknowledge the receipt of your letter (No. 306), dated the 6th instant, with accompaniments, on the subject of Security for Tuggài Advances, and to observe that one great object of granting Tuggài is, to prevent the Ryuts falling into the hands of Sahookars, which would be defeated by requiring the security of Sahookars for such advances; for, independent of the expense of the process to the Ryut, it gives the Sahookar a hold upon him, of which he would avail himself to fetter the Ryut in the disposal of his produce, and other matters. The security of money-lenders should, therefore, never be resorted to where any other is procurable.

2. The security of Patells, or Village Officers, may generally be obtained, or that of brother Ryuts, and the last mentioned is perhaps the best, as possessing the advantages so well described in the 3rd para. of your letter; and if with this are combined vigilance and punctuality in the collection of the money the moment it becomes due and the Ryut has realized the funds from his crop, the inferiority of this mode, on the grounds of its comparative insecurity, will, the Governor in Council conceives, be of but little importance.

I have, &c.,
L. R. REID,
Acting Chief Secretary.

Bombay Castle,
16th February 1838.

TUGGAI—Prevention of an Accumulation of —— Balances enjoined.

Extract, being para. 2 of a Letter from Government to the Revenue Commissioner S. D., dated 9th June 1837, *No.* 1798.

"Para. 2. I am at the same time desired to observe, that this case has attracted the notice of the Governor in Council as being one of the instances (which it is apprehended are not very rare,) in which Advances made as loans to be repaid at distant periods, are altogether lost sight of till, in after years, they are found as a burden on the accounts, the Grantees possibly dead and gone, or, if alive, as in the present instance, unable to pay anything. The Governor in Council therefore requests you will warn the Collectors against this negligent practice, and direct the adoption of measures to prevent its recurrence."

TUGGAI—Balances of —— how to be entered in the Accounts. *See Government Letter No.* 4842 *of* 1850, *(page* 162,*) under* "Balances."

TULLATEES—Scale of Security to be taken from —— assisting Patells in the collection of the Revenue. *See Revenue Commissioner's Circular No.* 385, *of 8th February* 1851, *under* "Security."

TULLATEES—Collectors to ascertain the qualifications of —— , and their fitness for promotion, by keeping a classified list of their attainments and character. *See Extract of Revenue Commissioner's Circular No.* 915, *dated* 29*th July* 1844, *under* "Village Officers."

TULLATEES not entitled to the benefit of the Pension Rules.

Circular.

No. 7785 A of 1848.

Territorial Department—Revenue.

To D. A. Blane, Esq., Revenue Commissioner N. D.

Sir,—I have been directed to inform you, that the Right Honorable the Governor in Council has been pleased to establish it as a rule, that Tullatees are not entitled to the benefit of the Pension Rules.*

I have, &c.,
W. Courtney,
Acting Secretary to Government.

Bombay Castle,
16th December 1848.

TULLATEES—No District or Hoozoor Karkoon, or ——, to be allowed to purchase or take up Lands within their respective ranges. This prohibition, however, is not to extend to the inheriting of Lands so situated, nor to the retaining of those already held. *See Government Resolution No.* 2958, *of* 17*th June* 1854, *under* "Land."

U

UMULS—The system of paying the Holders of —— the balance due to them, after crediting to Government the sums due by them, authorised. The same system applied to the Allowances of Hereditary Officers holding Lands likewise.

Extract, being para. 2 *from Government Letter to the Revenue Commissioner, dated* 12*th March* 1850, *No.* 1866.

"Para. 2. It has, His Lordship in Council believes, always been usual in the Deccan to pay to Holders of Umuls the balance which may be due to them, after crediting to Government the sums due by them; and to this arrangement, if the accounts be properly adjusted, His Lordship in Council sees no objection."

Extract, being para. 1 *of Government Letter to the Revenue Commissioner N. D., No.* 5617, *dated* 19*th May* 1851.

"Para. 1. With reference to your memorandum No. 1081, dated the 23rd ultimo, I have been directed to forward to you an extract, para. 2, of Government letter No. 1866, dated the 12th March 1850, to the Revenue Commissioner Southern Division, and to inform you that the Right Honorable the Governor in

* See also Government Letter No. 5074, of 28th June 1850, under "*Pensions*," at page 758.

Council sees no objection to a similar arrangement to that therein sanctioned as regards the allowances of Hereditary Officers holding Lands."

UMULS—As to whether or not the —— of District Hereditary Officers and others should be calculated on the gross Jummabundy, *without deduction of Remissions*, in Jagheer Villages.

Report of the Revenue Commissioner S. D., on a Letter from the Collector of Ahmednuggur, No. 1118, *dated the* 21*st June* 1853, *relative to the mode of calculating the Umuls of District Hereditary Officers in Jagheer Villages.*

No. 2175 of 1853.

Territorial Department—Revenue.

Submitted for the information and orders of the Right Honorable the Governor in Council.

2. In the Poona and Sholapoor Zillahs the Collectors report, that it is the practice to calculate the Government Umuls in Alienated Villages after deducting Remissions, unless it is a fixed amount,—when it is levied without reference to Remissions; and that the same practice is followed with respect to Huckdars, except in the Poona Collectorate in regard to Patells and Koolkurnees, whose Hucks are calculated on the gross Revenue, and paid in proportion to the collections. Both Mr. Jones and Mr. Loughnan consider any alteration in the present practice unnecessary, and think that, in cases of dispute, the parties should be referred to the Civil Court, or to arbitration.

Poona, No. 1152, of 5th July 1853.
Sholapoor, No. 546, of 19th idem.

3. The Acting Collector of Nuggur, in a subsequent letter, states that "Remissions granted on account of failure of crops, only, are taken into account in calculating Huckdars' shares of Revenue, and not deductions from the Kumal Revenue, owing to lands being let at 'Ooktee' rates;" and in a further memorandum No. 1528, of 10th instant, explains, that he meant to state "that the only abatements entering into the calculations as Remissions, were those on account of failure of crops. In some cases the usage is to calculate the Huckdars' shares at the 'Sostee' rates, whether the Revenue be collected according to them, or according to 'Ooktee' rates. In other villages it is the custom to calculate the Huckdars' shares on the actual collections, whether at 'Sostee' or 'Ooktee' rates. "In the latter case, the 'Sostee' rates are not taken into account, the Akarbunds assuming the Revenue collection at 'Ooktee' rates as the basis of the calculation."

4. It will thus be seen, that in the Poona and Sholapoor Zillahs the practice followed in calculating the Government Umuls in Alienated Villages is the same as that adopted in making the calculations for Huckdars' shares—Remissions on account of failure of crops being, in both cases, deducted;—while in the Nuggur Zillah, a different mode of settlement obtains, the Government Umuls being calculated on the Gross Jummabundy, without deducting Remissions; while in the

case of Huckdars, abatements are made on that account. Mr. Bell, however, points out, that the question at present raised is not as to the right of Government, but as to the right of Huckdars and others to have their Umuls calculated in the same manner as Government (the question as respects Government having been already disposed of in their Resolution* quoted in his 2nd para.); and, in respect to this point,—reasoning from the analogy of the Poona and Sholapoor practice,—the Revenue Commissioner would have felt disposed to think, that the claim of the Huckdars would hold good; but, at the same time, it may very possibly not be expedient to interfere with the existing order of things in the Nuggur Zillah at the present day, as this could apparently only be done either by altering, at this distance of time, the practice followed in calculating the Government Umuls so as to assimilate it with that of Poona and Sholapoor (which it has already been determined in the Government Resolution quoted by the Acting Collector, cannot now be done), or by compelling the Alienees of such Villages to give the Huckdars the benefit of the calculation adopted by Government, which, for the reasons stated by the Acting Collector, may not perhaps be altogether equitable.

* No. 4509, of 3rd July 1852.

Revenue Commissioner's Office,
17th August 1853.

W. Courtney,
Revenue Commissioner S. D.

No. 5958 of 1853.

Territorial Department—Revenue.

To the Revenue Commissioner S. D.

Copy of the Resolution passed by Government, under date 10th October 1853, on a Memorandum from the Revenue Commissioner S. D., No. 2175, dated 17th August 1853, submitting, for the information and orders of Government, a Letter from the Acting Collector of Ahmednuggur, on the subject of Umuls of Hereditary District Officers and others being calculated on the Gross Jummabundy in Jagheer Villages.

The only point before Government for disposal is, whether Hereditary Officers, holding Umuls in Doomalla Villages, can claim that those Umuls should be calculated on the gross Revenue without the deduction of Remissions. This question cannot be authoritatively settled by Government: it may be decided by parties at issue on the subject amicably, or by litigation, as suggested by the Acting Collector.

H. E. Goldsmid,
Secretary to Government.

UNANSWERED REFERENCES—Whenever an authority is directed by Government to take measures for providing an individual with an appointment, the order, until actually carried into effect, to be entered in the Quarterly List of —— .

No. 5071 of 1854.

Territorial Department—Revenue.

To the Revenue Commissioner N. D.

Extract, para. 2, from the Resolution passed by Government, under date 9th November 1854, on a Report from the Acting Revenue Commissioner S. D., No. 3048, dated 22nd September 1854 (with accompaniments), on a Petition from Dinkur Gunesh Oak, inhabitant of Poona, complaining that he is still unprovided with an appointment under Government.

* * * * * * *

"Para. 2. Whenever the Revenue Commissioner or other authority is directed by Government to take measures for providing an Individual with an appointment, the order, until actually carried into effect, should be entered in the Quarterly List of Unanswered References."

C. E. F. Tytler,
Offg. Secy. to Government.

V

VILLAGE ACCOUNTS—Those in Inam Villages to be kept as they are in Government Villages. *See Government Letter No. 377 of 1844, (page 25,) under* "Accounts."

VILLAGE ACCOUNTS—The supervision of —— and examination of Ryuts' Receipts considered one of the most important duties of Collectors and their Assistants. *See Extract part of para. 36 of the Government Letter No. 1472 of 1842 (page 24); Government Letter No. 213 of 1846 (page 27); Revenue Commissioner's Circular No. 374 of 1851 (page 39); and Extract paras. 34 and 35 of the Government Letter No. 5186 of 1850 (page 37), under* "Accounts."

VILLAGE ACCOUNTS—Collectors and their Assistants to furnish Statements showing the extent of their examination of —— .

Extract from the Government Letter to the Revenue Commissioner N. D., dated 27th May 1843, No. 1772.

"Para. 10. The Honorable the Governor in Council approves of Mr. Simson's recommendation (para. 9) that the Collectors submit, annually, to the Revenue Commissioner, a Statement* showing the Villages in which they and their Assistants have scrutinized the Village Accounts; and he thinks it advisable that this should be accompanied by a report on their condition generally, and specially on that of the Ryuts' Receipt Books. It is impossible to insist too much or too often on the strict performance of this branch of the Collectors' duty, and any relaxations in it must be productive of disastrous results."

* These Statements are now required to be submitted in the *Native* Language. See Extract, para. 2, of the Revenue Commissioner's Circular No. 1214, of 14th May 1852, at page 613.

Extract of a Letter from Government, No. 2337, of the 13th July 1843, in reply to the Belgaum Annual Revenue Reports for 1841-42.

"Para. 14. On the subject noticed in Mr. Townsend's 14th para., viz. the Returns to be sent in by the Mamlu dars, showing in what Villages they have inspected the accounts, I am directed to observe, that the Governor in Council highly approves of this measure. It is quite in accordance with the statements expressed in para. 10 of my letter to the Revenue Commissioner Northern Division, No. 1772, of 27th May 1843, in answer to the Revenue Reports of Khandesh (extract from which, with the paras. alluded to in it, is forwarded for your information); and you are requested to introduce the measure as regards the Collectors and their Assistants within your control."

VILLAGE ACCOUNTS—Collectors to take measures to have the —— regularly examined and signed by the Zummindars.

Circular.

Nos. 1672 to 1679 of 1834.

To all the COLLECTORS.

SIR,—In transmitting the annexed extract of a letter I have addressed to the Principal Collector of Surat, I have the honor to request you will take measures to have the Village Accounts regularly examined and signed by the Zummindars, whose duty it is to revise them in your Zillah.

2. The periods for examination and signature, specified in the extract, may, perhaps, not be suitable to your District, in which case you will have the goodness to fix other dates.

I have, &c.,
T. WILLIAMSON,
Revenue Commissioner.

Poona, Rev. Com.'s Office,
21st August 1834.

Extract para. 4 of Mr. Revenue Commissioner Williamson's Letter to the Principal Collector of Surat, No. 1637, of 15th August 1834.

"Para. 4. In his remarks on the accounts of the Village of Vaowa, Mr. Liddell suggests that the Tullatee's accounts be signed monthly by the Muzmoodar. Were it possible for the Muzmoodar to examine so many accounts in so short a time, Mr. Liddell's plan would be a very good one, but this I apprehend the Muzmoodar could not do. A rule, I think, obtains in the Kaira Zillah, requiring the Muzmoodar to sign the 'Numbérwar Kurdar' in December, the 'Khàtownee' in January, the 'Wussool Bàkee' in April, and, in July, the general Namood, or as it called in Surat the 'Ank'-book, in which general statement all items are inserted of receipt, disbursement, &c. This rule, or one similar to it, should, I think, be introduced at Broach."

No. 2361 of 1834.

Territorial Department—Revenue.

To T. WILLIAMSON, Esq., Revenue Commissioner.

SIR,—I am directed to acknowledge the receipt of your letter, dated the 22nd ultimo, and to acquaint you that the Right Honorable the Governor in Council approves of the instructions issued by you to all the Collectors on the subject of the examination of Village Accounts by Zummindars, and their affixing their signatures to them.

I have, &c.,
L. R. REID,
Secretary to Government.

Bombay Castle,
4th September 1834.

VILLAGE ACCOUNTS—The Examination of —— in Villages held by Members of the privileged Classes, to be restricted to the Collectors and their Covenanted Assistants. *See Government Letter No.* 4391 *of* 1851, *under* "Accounts."

VILLAGE ACCOUNTS in Doomalla Villages to be kept by the Village Officers,—not immediately by the Doomaldars. *See Extract of Government Letter No.* 1426 *of* 1843, *(page* 24,*) under* "Accounts."

VILLAGE ACCOUNTS not to be looked upon as the private property of Village Officers, &c.

Extract, being para. 2 *of Government Letter to the Revenue Commissioner, dated the* 29*th October* 1847, *No.* 4107.

"Para. 2. In reference to para. 3 of your letter of the 13th ultimo to the Collector, I am desired to state that that Officer should, in no instance, allow the Village Accounts to be treated as private property; they are the property of Government, and should be made over by a Koolkurnee, on vacating his office, to the Mamlutdar or Mahalkurree, and by him to the individual who may succeed to the appointment, and that this rule the Governor in Council considers one for whose proper observance the Mamlutdars or Mahalkurrees should be held responsible.

VILLAGE ACCOUNTS.—The keeping of Memoranda by Potdars and Koolkurnees on *Loose Slips* of paper, prohibited.

Nos. 3361 to 3368 of 1834.

To all the COLLECTORS.

SIR,—It having been brought to my notice whilst in this (the Poorundhur District), that the Potdar at the Soobah, as well as Village Koolkurnees, are in the habit of making Memoranda on loose slips of paper, which Memoranda they eventually copy into their "Wuhees," I have the honor to request that you will call the particular attention of your Assistants and Mamlutdars to the necessity there is of adopting measures to prevent such a very objectionable practice obtaining in the Districts under your charge.

2. The receipt of money and all other circumstances which are to be noted in the books should be done so at once. The accounts of the Koolkurnees should consist solely of "Wuhees." There is no necessity for a single loose memorandum; and cases in which any Native Officer, whether from the Soobah or Villages is unable, by referring to the bound and sealed Books, to supply any information connected with his office that may be required, should be visited with prompt punishment.

3. Errors may be rectified by running a line with the Cullum through the words or figures, and writing them *de novo* below, or on another leaf. Erasements of all kinds should be strictly prohibited.

4. You will have the goodness to circulate copies of the enclosed Yàd for the information and guidance of your Mamlutdars.

I have, &c.,
T. WILLIAMSON,
Revenue Commissioner.

Poona District, Camp Jejooree,
Rev. Com.'s Office, 28th November 1834.

VILLAGE HEREDITARY OFFICERS.—The Offices of Revenue and Police Patells to be, as a general rule, held by the same person.

No. 2907 of 1852.

Territorial Department—Revenue.

To E. G. FAWCETT, Esq., Revenue Commissioner N. D.

SIR,—With reference to your predecessor's Report No. 2511, dated the 11th September last, with accompaniment, on a Petition from a Muttadar's Patell, Juvherbhaee Rughbaee bin Bhaeebee, dated the 19th April 1850, I have been directed by the Right Honorable the Governor in Council to forward herewith copy of a further report from the Collector of Kaira, No. 138, dated the 4th February last, and to inform you that Government have already decided, in the Judicial Department, as regards the Southern Mahratta Country and the Deccan, that it is desirable that the Offices of Revenue and Police Patell should, as a general rule, be held by the same person.

2. It is also desirable in Goojràth; but where the custom of the country and the rights of families and individuals militate, as they often do in Goojràth, against the same person being Oogratdars and Mookhee, that custom and those rights must be respected.

3. The petitioner has been referred to the Collector of Kaira.

I have, &c.,
H. E. GOLDSMID,
Secretary to Government.

Bombay Castle,
27th April 1852.

No. 5063 of 1852.

Territorial Department—Revenue.

To E. G. FAWCETT, Esq., Revenue Commissioner N. D.

SIR,—I have placed before Government your memorandum No. 1593, dated the 26th ultimo, and been instructed that the case* mentioned is the one referred to in my memorandum, to which your's is a reply, and to request you will circulate copy of the correspondence for the information and guidance of the Collectors in Goojràth, with the injunction as regards future appointments to Office, that if instances occur, in which, for the reasons given in para. 2 of Government letter, of 27th April 1852, No. 2907, a deviation from the general arrangement desired by the Governor in Council is considered necessary, the Collector will report the same to you for approval, or, in event of your disapproving, for reference to Government.

* Disposed of by Government Letter, dated 16th February 1850, No. 1193.

I have, &c.,
A. MALET,
Chief Secretary to Government.

Bombay Castle,
29th July 1852.

VILLAGE HEREDITARY OFFICERS—Timely provision to be made for filling up Vacancies caused by the expiry of the term of Office of Officiating ——. *See Government Letter No.* 7363 *of* 1850, *and the Revenue Commissioner's Circular, No.* 331 *of* 1853, *under* "District Hereditary Officers."

VILLAGE HEREDITARY OFFICERS—Orders regarding the selection and appointment of —— under Act XI. of 1843. *See Government Letter to the Revenue Commissioner, No.* 3434 *of* 1850, *under* "District Hereditary Officers."

VILLAGE HEREDITARY OFFICERS—Nominations of Officiating —— must be unanimously made by the Sharers, &c. *See Government Letter No.* 383 *of* 1849, *under* "District Hereditary Officers."

VILLAGE HEREDITARY OFFICERS—Government desire that Nominations of Officiating ——, under Act XI. of 1843, should, if possible, be for Life. *See Extract of Government Letters No.* 6178 *of* 1848, *and No.* 5188 *of* 1849, *under* "District Hereditary Officers."

VILLAGE HEREDITARY OFFICERS—Nominations, by the *Collector*, of Officiating ——, when the *Sharers do not agree* among themselves regarding a selection, *not* to be made "for Life." *See Extract para.* 2 *of Government Letter No.* 5491 *of* 1850, *under* "District Hereditary Officers."

VILLAGE HEREDITARY OFFICERS—All that Government have to sanction in cases where —— are appointed to officiate by the *Shareholders*, is the term of their Office: Form of Quarterly Returns of such Nominations prescribed, &c. *See Government Letter No.* 92 *of* 1848, *under* "District Hereditary Officers."

VILLAGE HEREDITARY OFFICERS—The extent to which Government need interfere with the Nomination and Remuneration of Officiating Karkoons furnished by District and Village Hereditary Officers; &c. *See Government Letter No.* 8679 *of* 1850, *(page* 374,*) and the Government Resolution No.* 971 *of* 1853, *(page* 366,*) under* " District Hereditary Officers."

VILLAGE HEREDITARY OFFICERS—Instructions regarding the appointment of Officiating —— in cases where Claims to serve in Rotation are put in. *See Government Letters No.* 1376 *of* 1851, *and No.* 4893 *of* 1852, *under* " District Hereditary Officers."

VILLAGE HEREDITARY OFFICERS—How far Controlling Authorities are to interfere in cases in which Claims to serve in Rotation are recognized by Decrees of Courts. *See Government Letter No.* 4555 *of* 1853, *under* " District Hereditary Officers."

VILLAGE HEREDITARY OFFICERS—All appointments of —— to officiate under Act XI. of 1843, requiring confirmation by Government, to be forwarded through the Revenue Commissioner.*

Extract, being para. 2 *of a Letter from the Government to the Revenue Commissioner S. D., dated* 2*nd June* 1846, *No.* 2478.

" Para. 2. I am here desired to request that you will instruct the Collectors under your control to submit, in future, all Nominations of Officiating Hereditary Officers, which require the confirmation of Government under the Act above quoted, through your Department for that purpose."

VILLAGE HEREDITARY OFFICERS—Nominations of Officiating —— when, and how to be reported to Government. *See Government Letter No.* 6487 *of* 1850, *under* " District Hereditary Officers."

VILLAGE HEREDITARY OFFICERS—Claims set up by —— to officiate in Alienated Villages, and being objected to by the Alienee, to be specially reported to Government. *See Government Letter No.* 8947 *of* 1851, *under* " District Hereditary Officers." If *not* so objected to, no such report is necessary. *See Extract para* 2 *of Government Resolution No.* 1633 *of* 1855, *under the same Head.*

VILLAGE HEREDITARY OFFICERS—Officiating —— *not* appointed under Act XI. of 1843, are nevertheless subjected to the provisions of that Act. *See Extract of the Proceedings of the Sudder Adawlut, dated 5th February* 1859, *(page* 348,*) under* " District Hereditary Officers."

VILLAGE HEREDITARY OFFICERS.—The sole proprietor of a Wuttun is considered an "*Officiating*" Officer within the meaning of Act XI. of 1843. *See Government Letter No.* 3129 *of* 1848, *under* " " District Hereditary Officers."

* See also Government Letter No. 6487, of 30th August 1850, under " *District Hereditary Officers,*" at page 368.

VILLAGE HEREDITARY OFFICERS—Officiating —— must be considered to "Vacate" Office on the expiration of the period for which they may have been appointed.

No. 781 of 1854.

From W. W. Bell, Esq., Acting Collector of Ahmednuggur,

To the Acting Revenue Commissioner S. D.

Sir,—In the 4th para. of the Government Resolution No. 6501, dated 8th November 1853, relative to the settlement of the Emoluments of Village Officers in nine Talookas of this Collectorate (forwarded with your memo. No. 2948, dated 17th idem), it was provided that the excess of cash allowance, beyond the sum fixed in the scale laid down for the regulating of the remuneration of Officiators, should not be retrenched in any case, until the present Officiator vacates office. I shall be thankful to be instructed whether an Officiator, whose period of service has expired, and who has again been elected to officiate for a further period, is to be considered as vacating office in the sense of the above provision.

I have, &c.,

Poona, Ahmednuggur Col.'s Office, 18th July 1854.

W. W. Bell, Acting Collector.

No. 2348 of 1854.

To W. W. Bell, Esq., Acting Collector of Ahmednuggur.

Sir,—In reply to your letter, dated the 18th instant, No. 781, and with reference to the provisional orders therein quoted, I have the honor to inform you, that a Village Officer must undoubtedly be considered as having "vacated" office on the expiration of the period for which he was appointed under Act XI. of 1843.

2. A copy of this letter will, however, be forwarded for the approval of Government.*

I have, &c.,

Poona, Rev. Com.'s Office, 22nd July 1854.

H. W. Reeves, Revenue Commissioner S. D.

VILLAGE HEREDITARY OFFICERS—The applicability of Act XI. of 1843 to the consolidation of the Wuttuns of —— and the pay of their Deputies. *See Government Letter No.* 1207 *of* 1850, *under* "Wuttuns."

VILLAGE HEREDITARY OFFICERS—As to how far mortgaged portions of the Wuttuns of —— are available for remunerating the Officiating Members. *See Government Resolution No.* 6892 *of* 1853, *under* "Wuttuns."

VILLAGE HEREDITARY OFFICERS—Officiating —— strictly prohibited from assigning any portion of the Cash Allowances paid them by Government to their Principals, or Co-sharers.

* This reply was concurred in by Government, under date the 30th August 1854, No. 4063.

Proclamation.

According to the provisions of the Settlement of Patells' and Koolkurnees' offices, and emoluments in the Collectorate of Dharwar, sanctioned by the Government letter No. 3965, dated 8th July 1853, an adequate allowance in cash will be paid quarterly to the Officiating Patell and Koolkurnee of each village, and it is hereby published, for the information of all Principals and Co-sharers in the Wuttuns, that the abovementioned "allowance" is, for the future, to be considered the pay of the person officiating, whether he may be himself a Wuttundar or a Goomasta, or a Nominee of the Collector; and that no Principal or Co-sharer, not officiating, has, or will hereafter be permitted to have, any claim to participate in any portion of the salary of the officiator; and any underhand assignment by an officiator, whether a Goomasta or Deputy, or Co-sharer, of any portion of his salary as officiator, to his Principal or to other Co-sharers, will subject the officiator to the stoppage of the whole, or such portion of his salary as the Collector may see fit to direct. In fine, the salary of the officiator is for the performance of the duties, and no one besides the officiator has any claim upon it whatsoever.*

VILLAGE HEREDITARY OFFICERS—In all cases instituted against —— the terms of Act XI. of 1843 should be carefully attended to, &c. *See Extract para. 2. of Government Letter No.* 3103 *of* 1847, *under* "District Hereditary Officers."

VILLAGE HEREDITARY OFFICERS—Form of the Record of Proceedings to be handed up in reporting the dismissal of —— for confirmation by Government. *See Government Resolution No.* 2944 *of* 1854, *under* "Dismissals."

VILLAGE HEREDITARY OFFICERS—Dismissals of Goomastas or Deputies —— require the sanction of Government. *See Extract of Government Resolution No.* 2621 *of* 1852, *under* "District Hereditary Officers."

VILLAGE HEREDITARY OFFICERS—Punishment of —— for delinquencies to be briefly notified to the Patells and Koolkurnees throughout the Collectorate.

Extract, being para. 2 of Government Letter to Revenue Commissioner, No. 2065, *dated* 31*st May* 1838.

"Para. 2. I am further desired to state, that if in this and in similar cases in future a brief notice of the crime and punishment of parties were notified to the Patells and Koolkurnees of other Villages throughout the Collectorate, it might have a very beneficial effect in giving warning of the consequences of fraud; and the Governor in Council accordingly requests that you will issue the requisite instructions to the Collectors under your control to give effect to this measure."

Extract, being para. 2 of Government Letter No. 3899, *dated* 25*th October* 1838.

"Para. 2. You are requested to instruct the Principal Collector to have a brief statement of the facts of the delinquency and of the punishment (naming the

* This Proclamation was approved of by Government under date the 28th September 1853, No. 5739.

Village, &c. but not the persons) drawn up in Murrathee, and circulated to the Patells and Koolkurnees in his Districts, as a warning to them, and to adopt this mode of proceeding generally in similar cases."

VILLAGE HEREDITARY OFFICERS—Registers to be kept of all District and —— who may be found guilty of criminal misconduct in their Official duties. *See Extract para.* 8 *of Government Letter No.* 55 *of* 1839, *under* "District Hereditary Officers."

VILLAGE HEREDITARY OFFICERS, when dismissed, are not to be styled "Patells" and "Koolkurnees" in any public documents.

Extract para. 3 *of a Letter from Government, No.* 1511, *of the* 14*th May* 1844.

"Para. 3. You are requested to enjoin the Collector of Dharwar to be careful that the dismissed parties are no longer styled "Patell" and "Koolkurnee" in the Village Records, or in any other public documents. This rule, I am desired to add, should be observed in all cases when Village or District Officers may be dismissed for fraud or breach of their official duties."

VILLAGE HEREDITARY OFFICERS—The light in which Wuttuns of —— should be viewed by public Officers. Goomastas not to be employed unless under particular circumstances, &c. *See Extract of Government Letter No.* 2400 *of* 1848, *under* "District Hereditary Officers," *and Extract para.* 7 *of Government Letter No.* 1341 *of* 1844, *under* "Goomastas."

VILLAGE HEREDITARY OFFICERS—Relative to the recognition by Government of ancient subdivisions of the Wuttuns of ——. *See Government Letters No.* 3073 *of* 1848, *and No.* 1640 *of* 1850, *under* "Wuttuns."

VILLAGE HEREDITARY OFFICERS—Entries in the Government Accounts of the names of Sub-Sharers in Wuttuns prohibited. *See Government Resolution No.* 4465 *of* 1853, *under* "District Hereditary Officers."

VILLAGE HEREDITARY OFFICERS—Village Patells declared liable to the provisions of Clause 2, Section XI., Regulation XVI. of 1827, as regards any misappropriation of Government money. They are not, however, prohibited from engaging in Commercial speculations. *See Government Letter No.* 8960, *of* 8*th September* 1851, *under* "Patells."

VILLAGE HEREDITARY OFFICERS not to be absent from their Villages without permission.

To ——————.

Sir,—In travelling through the Deccan I have frequently found the Koolkurnees absent from their Villages, and Deputies (often, I believe, appointed by the Koolkurnees themselves) in charge of their duties. Koolkurnees should be

prohibited from leaving their charges without the Mamlutdar's permission,* or that of the Assistant when one has charge of the District; nor should a Koolkurnee be permitted to delegate his duties to a Deputy without permission from the Mamlutdar or a higher authority. The name and character of the Deputy should be ascertained and registered before the permission is given.

2. I also found (in the Poona Collectorate) that the Village Accounts were frequently not in the Villages—having been taken to, and detained at, the Mamlutdar's Kutcherry, the Hoozoor, &c. If the accounts are required at these places, they should always be returned to the Villages as soon as possible. Their detention affords an excuse to the Koolkurnee to keep his accounts in arrears and otherwise in an imperfect state.

I have, &c.,
T. WILLIAMSON,
Revenue Commissioner.

Rutnageeree, Rev. Com.'s Office,
2nd January 1833.

VILLAGE HEREDITARY OFFICERS.—The Koolkurnee, Patell, or Mahar, of the Village, always to attend Sales of Land under Decrees of Court. *See Government Letter No.* 2342 *of* 1841, *under* "Sales."

VILLAGE HEREDITARY OFFICERS, whether Officiating or not, cannot withhold Records or Papers connected with their Wuttuns or Service, &c. *See Extract of Government Letter, No.* 717 *of* 1844, *and Extract of the Government Resolution, No.* 2592 *of* 1854, *under* "Records."

VILLAGE HEREDITARY OFFICERS.—Collectors to enforce the right of Escheat in all cases of Hereditary Offices reverting through failure of Male Heirs. *See Inam Commissioner's Report No.* 1634, *and the Revenue Survey Commissioner's Report No.* 66 *of* 1853, *under* "District Hereditary Officers.

VILLAGE HEREDITARY OFFICERS—Mamlutdars and Mahalkurrees may grant Leave of Absence to —— for fourteen days, without reference to Head Quarters (unless the Collector or Assistant Collector be in the immediate neighbourhood), reporting the circumstance to the Officer in Charge of the District. *See Government Letter No.* 7724 *of* 1850, *under* "District Hereditary Officers."

VILLAGE HEREDITARY OFFICERS—The practice of Koolkurnees living at a distance from their charges considered objectionable. *See Extract part of para.* 22 *of Government Letter No.* 7891 *of* 1851, *under* "Koolkurnees."

VILLAGE HEREDITARY OFFICERS not required to pass an Examination like that to which Candidates for employment in the Government Service are subjected. *See the Government Letter No.* 5931 *of* 1848, *under* "Examination."

* See Government Letter No. 7724 of 1850, under "*District Hereditary Officers.*"

VILLAGE OFFICERS—In applying Act XI. of 1843 to the appointment of District and Village Officers who are *not Hereditary*, the selection is not to be confined to the family of the last incumbent. *See Government Letter of 23rd August* 1850, *No.* 6181, *under* "District Hereditary Officers."

VILLAGE OFFICERS—Collectors to ascertain the qualifications of Tullatees, and their fitness for promotion, by keeping a classified list of their attainments and character.

Extract paras. 3 *to* 5 *of N. D. Revenue Commissioner's Circular Letter No.* 915, *dated* 29*th July* 1844.

"Para. 3. The office of Village Accountant is one of much labor, exposed to many temptations, and which it is not possible very highly to remunerate, hence it becomes the more important that no means should be omitted for distinguishing the merit, and stimulating the honest ambition, of those by whom it is filled. In addition, therefore, to the distribution of rewards in the manner I have suggested, it might be useful to introduce a classified list for the record of the attainments and character of these functionaries; two or three classes might be sufficient, the numbers in each class to be so limited, and such publicity given to the names of those admitted into it, as would make admission an object of ambition,—and degradation, when incurred by misconduct, a mark of disgrace. Considerable discrimination, and a close and lengthened observation of character and conduct would be essential to the success of such a plan, and these it might perhaps not always be compatible with your own mere general duties to extend to it; but while you would doubtless give it your attention in as far as circumstances would permit, you might urge it upon your deputed Assistants, as a duty for which they would have peculiar opportunities in the detailed supervision of village management, and by which they might materially contribute to the good of the Public Service.

"4. It would promote the immediate objects of such a system, as well as furnish a useful resource for the supply of vacancies in the higher grades of revenue agency, to have recourse to this list for that purpose, when circumstances indicated it to be the most eligible means of effecting it.

"5. Such a list, too, if carefully and regularly kept, would afford a fairer test of fitness for office than the occasional and special examinations of Candidates now resorted to. I know of no education which would lay a better foundation for the eventual discharge of the highest duties in the Revenue Department than that obtained in the office of a Village Accountant. Examples of this are not wanting: among which I might cite, as one of the most distinguished, an individual who has recently retired from the Dufturdarship of this Department,—after having risen to it by his own merit through all the grades of the Service, and having held it with credit for many years. Such examples, if more frequently and systematically exhibited to our Village Accountants, might, in some measure, compensate for the apparent inadequacy of their present advantages to the labors and responsibilities

imposed on them. They might, also, I would fain hope, render less painfully frequent, than at present, the resort to less generous motives for securing their fidelity and diligence."

Circular.

No. 545 of 1852.

From E. G. Fawcett, Esq., Revenue Commissioner N. D.,

To ——————— .

Sir,—It appearing from enquiry that the Circular instructions of my predecessor, Mr. Pringle, dated the 29th July 1844, No. 915, for ascertaining the qualifications of Tullatees and their fitness for promotion, have been lost sight of by some of the Collectors of this Division, I have the honor to request your attention to those instructions for the future.

I have, &c.,
E. G. Fawcett,
Revenue Commissioner N. D.

Rev. Com.'s Office, Camp Alibàgh,
9th March 1852.

VILLAGE OFFICERS.—Question of the recognition of Muttadar Patells to Hereditary Offices.

Extract paras. 2 to 5 of N. D. Revenue Commissioner's Memo. No. 1050, dated the 11th April 1854.

"Para. 2. The question arose out of the Collector of Kaira forwarding to this Department statements of nominations of Muttadars for confirmation, in addition to the Oogràtdar Patells appointed under Act XI. of 1843.

"3. The Muttadars stand much in the same position to the Wuttun that Sharers and Sub-Sharers do in other places, except as respects the custom of putting their signature to the Village Papers.

"4. Their responsibility on this account, however, is little better than nominal, as, unless appointed to perform duty under the Act, they would not be subject to its penalties; but to appoint them under the Act would tend to embroil matters by making a plurality of managing Patells who are unnecessary. There is no occasion to interfere with their signing the papers according to former custom; it may tend in some little degree to insure fidelity;—at all events their doing so seems quite harmless.

"5. As regards rights to shares of emoluments, the Collector need have nothing to do with the matter, beyond taking care that the party appointed Revenue and Police Patell is sufficiently remunerated out of the proceeds; the balance may be left to the sharers to manage as they please."

No. 2182 of 1854.

Territorial Department—Revenue.

To the Revenue Commissioner N. D.

Copy of the Resolution passed by Government, under date 5th May 1854, on a Memorandum from the Revenue Commissioner N. D., No. 1050, dated 11th April 1854, submitting Letter from the Collector of Kaira, regarding the recognition of the several Muttadar Patells of Villages in the Kaira Collectorate, as well as the Oogratdar and the Mookhee Patell.

Mr. Fawcett's views appear to Government to be quite correct, and should be acted on.

H. E. Goldsmid,
Acting Chief Secretary to Government.

VILLAGE RECORDS.—Orders regarding the Custody of ——. *See Extract of Government Resolution No. 2592 of 1854, under* "Records."

VILLAGES—The previous sanction of Government necessary to the Establishment of ——.

No. 7082 of 1848.

Territorial Department—Revenue.

To D. A. Blane, Esq., Revenue Commissioner N. D.

Sir,—Referring to your letter, in the Judicial Department, No. 1872, dated the 30th September last, I have been directed by the Right Honorable the Governor in Council to observe, that it does not appear from the correspondence therewith forwarded, that under the Native Government the permission of the Authorities to establish new Hamlets or Villages was requisite; nor under our Government does the practice appear to have generally prevailed.

2. As a general rule, His Lordship in Council has, however, deemed it proper to declare that the previous sanction of Government should be obtained to the Establishment of Hamlets or Villages.

I have, &c.,
W. Courtney,
Acting Secretary to Government.

Bombay Castle,
11th November 1848.

VILLAGES, attached by Decrees of Court, how to be managed. *See Government Circular No. 760 of 1835, under* "Attachments."

VILLAGES—In —— under Attachment, pending investigation of Title, the arrangement of the last Manager to be continued. *See Extract from para. 21 of Government Letter No. 5753 of 1850, under* "Attachments."

VILLAGES—Alienated —— under Attachment, should not be thrown among the Khalsat Villages in the Jummabundy Statements. *See Revenue Commissioner's Circular No.* 2184 *of* 1852, *under* "Jummabundy."

VILLAGES—The system of Leasing whole —— to Patells or Village Communities, may be introduced into Unsurveyed Districts wherever practicable. The persons accepted as Farmers, however, are not to be mere *speculators* unconnected with the Village. *See Revenue Commissioner's Circular No.* 1699 *of* 1845, *under* "Leases."

VILLAGES—Collectors to take special care that the rights of Government are not compromised when —— or Lands are sold under a Decree from the Court of Adawlut. *See Government Letter No.* 2664, *of* 12*th May* 1848, *under* "Suits."

VILLAGE SITES—Prohibiting the Grant of Donations to Ryuts for removing to New ——.

No. 1924 of 1847.

Territorial Department—Revenue.

To D. A. Blane, Esq., Revenue Commissioner N. D.

Sir,—With reference to my letter No. 3640, dated the 16th October last, sanctioning the grant of a donation of Rs. (636) six hundred and thirty-six to the inhabitants of "Hursole," to aid them in removing their Houses to a more secure site, I am directed by the Honorable the Governor in Council to transmit, for your information and guidance, extract (para. 2) of a letter from the Government of India, No. 371, dated the 1st instant, stating that donations of this nature should be avoided in future.

I have, &c.,

Bombay Castle,
26th May 1847.

R. K. Pringle,
Chief Secy. to Government.

Extract of a Letter from the Secretary to the Government of India, to the Chief Secretary to the Government of Bombay, dated 1*st May* 1847, *No.* 371.

"2. His Honor in Council would, however, observe, which reference to the 5th item of the Statement, the grant of a donation to the "Hursole" Villagers for the removal of their Houses to a place more secure from the encroachments of the river,—that donations of this nature are erroneous in principle, and should be altogether avoided in future."

VILLAGE WALLS—Government aid for the Construction and Repair of —— in future to be made in the form of *Pecuniary* Grants out of the sums placed at the disposal of Collectors and their Assistants by the Government Orders of 4th September 1835, instead of by Grants of Waste Lands.—*See Government Letters Nos.* 4468 *and* 5251, *of the* 10*th November, and* 18*th December* 1847, *respectively, under* "Land."

W

WATCHMEN—Gratuitous Labour not to be required by Public Officers from Village —— and Mahars.—*See Extract from Government Letter No.* 2713 *of* 1849, *under* "Gratuitous Labor."

WATCHMEN—Orders regarding the keeping of Accounts of all Lapses of Land or other Allowances enjoyed by Village ——, or otherwise appropriated to Police purposes. *See Government Letter of the* 22*nd November* 1850, *No.* 8602, *under* "Land."

WEIGHTS AND MEASURES—Those established by Law, to be used in all transactions on behalf of Government.

Notification.

General Department.

It being desirable that the Standard Weights and Measures, established by law, should be used in all transactions, including Contracts, &c. on behalf of Government, the Honorable the Governor in Council is pleased to direct that in future they be employed by all Government Officers on such occasions.

By order, &c.,
W. R. Morris,
Secretary to Government.

Bombay Castle,
30th April 1841.

WEIGHTS AND MEASURES.—Orders defining the Standard Weight of a *Tolà*.

Notification.

General Department.

With reference to the Notification of the 30th April last, the Right Honorable the Governor in Council is pleased to publish, for general information, the following extract from the Bengal Regulation (No. 7) of 1833, being that part of Section IV., which describes the system of Weights:—

The Tola to be established of 180 Grains Troy, in lieu of the unit of Sicca Weight 179·666 Grains.

"The Tolà of Sicca Weight to be equal to 180 Grains Troy, and the other denominations of Weight to be derived from this unit, according to the following scale, viz:—

A scale of Weights according to this principle described.

8 Ruttees = 1 Màsà = 15 Troy Grains.
12 Màsà = 1 Tolà = 180 Troy Grains.
80 Tolàs (or Sicca Weight) = 1 Seer = 2½ lbs. Troy.
40 Seers = 1 Munn = 100 lbs. Troy."

By order, &c.,
W. R. Morris,
Secretary to Government.

Bombay Castle,
28th July 1841.

WELLS—Orders regarding Advances of Money to Ryuts for the construction or Repair of —— with a view to extending Irrigation.

No. 1355 of 1844.

Territorial Department—Revenue.

To E. H. Townsend, Esq., Secretary to Government, Bombay.

Sir,—With reference to your letter No. 2686, dated the 12th August last, and former correspondence, on the subject of the encouragement to be held out to the construction of Wells, I have the honor to submit, for the information of Government, copies of instructions as per margin, which I have issued to the Collectors in this Division, and which I trust will meet with the approval of the Honorable the Governor in Council.

1. Circular No. 1003, dated the 16th August 1844.
2. Letter to the Collector of Khandesh, No. 1353, dated the 30th October 1844.

I have, &c.,
R. K. Pringle,
Revenue Commissioner N. D.

Rev. Com.'s Camp, Alibàgh,
30th October 1844.

Circular.

No. 1003 of 1844.

To all the Collectors of Land Revenue N. D.

Sir,—Government having had under consideration the expediency of establishing some general system for promoting the construction of Wells, which, while it holds out a liberal degree of encouragement may be easily understood, and avoid the necessity of minute scrutinies and calculations, has sanctioned the following rules for general application, and which will supersede all rules and practices hitherto in force on the subject :—

I. Any person constructing a Well to receive a lease, exempting him for thirty years from the payment of a higher rate of assessment on the land irrigated from it, than is usual on unirrigated land.

II. No advances to be given for the construction of Wells to persons who have sufficient capital of their own, or the means of procuring it elsewhere; nor to persons who cannot give an assurance that they are able and willing to provide money, labor, or materials towards the work, to the extent of half the amount advanced.

III. In other cases, advances to be made for the construction of Wells in the form of Tuggài, at the discretion of the Collectors, and on satisfactory security, at a rate, in all ordinary cases, of five per cent. per annum simple interest, and to be repaid in not more than five annual instalments, commencing from the first season in which the irrigated land shall have yielded a return. Special cases, in which more liberal terms appear desirable, to be submitted for sanction.

IV. Advances to be made on the same terms as in the last rule, with the exception that no interest shall be charged for the repair of old works of irrigation, and the improvement of irrigated lands from which Government already derives a higher rent than from unirrigated land. Special cases of this kind, in which it may appear expedient that the cost or a portion of it should be borne by the State, to be submitted for sanction.

2. You will have the goodness to give general publicity to these rules, and to use every endeavour to promote the object of their liberal provisions.*

I have, &c.,
R. K. PRINGLE,
Revenue Commissioner N. D.

Rev. Com.'s Office, Poona,
16th August 1844.

No. 1353 of 1844.

To W. W. BELL, Esq., Collector of Khandesh.

SIR,—In reply to your letter No. 545, dated the 21st instant, I have the honor to intimate my opinion, that it would be in accordance with the spirit of the rules communicated to you in my Circular No. 1003, dated the 16th August last, to extend the provisions for the construction of new Wells to the reconstruction of such as are in the state you describe, namely "for many years disused, and become entirely filled up, so as to bear scarcely the vestige of their existence, and are in the condition termed in Murrathee '*Zumeendost*;'" but care should be taken that this construction is not abused to the inclusion of Wells which have only recently and slightly fallen into disrepair, and for which provision is made in the 4th of the Rules above adverted to.

I have, &c.,
R. K. PRINGLE,
Revenue Commissioner N. D.

Rev. Com.'s Camp, Alibàgh,
30th October 1844.

(True copies)
R. K. PRINGLE,
Revenue Commissioner N. D.

No. 4129 of 1844.

Territorial Department—Revenue.

To R. K. PRINGLE, Esq., Revenue Commissioner N. D.

SIR,—I am directed to acknowledge the receipt of your letter No. 1355, dated the 30th ultimo, with enclosure, and to acquaint you that the Honorable the Governor in Council approves of the instructions issued by you to the Collectors

* Under the decision of Government, dated the 15th November 1854, No. 5173, (at page 542,) these Rules are not applicable to Districts in which the Revenue Survey has been introduced.

comprised in your Division, on the subject of the encouragement to be held out to the construction of Wells.

I have, &c.,
E. H. TOWNSEND,
Secretary to Government.

Bombay Castle,
22nd November 1844.

WELLS—Information to be recorded and furnished periodically in cases where large sums of money are sanctioned for —— used in Irrigation. *See Government Resolution No.* 663, *of* 14*th February* 1855, *under* "Irrigation."

WELLS AND TANKS—Applications for sanction to the Repair of —— to be sent in sufficiently early to admit of the work being completed before the setting in of the Monsoon.

Extract, being para. 2, *of Government Letter to the Revenue Commissioner, dated* 13*th June* 1846, *No.* 1964.

"Para. 2. I am, at the same time, directed to request that you will instruct the Collectors under your control to submit applications of this nature at an earlier period, so as to admit of the work being done before the setting in of the Monsoon."

WELLS AND TANKS—Village Contributions towards —— which are not required for Irrigation, how to be regulated. *See para.* 2 *of Government Letter No.* 3876, *of* 3*rd November* 1848, *under* "Tanks and Wells."

WELLS, TANKS, &c.—Orders as to the amounts which Uncovenanted District Deputy Collectors can sanction for the Construction or Repair of ——. *See the Government Resolutions No.* 6183, *of* 22*nd September* 1852, *and No.* 7028, *of* 30*th October* 1852, *under* "Deputy Collectors."

WELLS, TANKS, &c.—Instructions respecting the Appropriation of the Funds annually at the disposal of the Collectors and their Assistants, for the Construction and Repairing of —— for purposes of Irrigation. *See Revenue Commissioner's Letter, of* 15*th October* 1834, *No.* 3028, *under* "Tanks, Wells, &c."

WELLS, TANKS, &c.,—Collectors and their Assistants authorised to sanction Outlays for the Repairing or Constructing of ——, without the previous sanction of Government. *See Extract para.* 7 *of the Revenue Commissioner's Letter to Government, No.* 627, *of* 15*th September* 1832, *under* "Tanks, Wells, &c."

WELLS, TANKS, &c.—The sanction of *Government* to any Disbursements authorised by Collectors and their Assistants for Constructing or Repairing ——, under the orders of 4th September 1835, deemed unnecessary: such Disbursements to be included in Statement J* (of "Public Works") furnished with those Officers' Jummabundy Reports, &c. &c. *See the Government Letter of* 29*th September* 1851, *No.* 9456, *under* "Tanks, Wells, &c."

* For the prescribed Form of this Statement, see under "*Tanks, Wells,* &c," at page 977.

WELLS, TANKS, &c.—Sums allowed by the orders of 4th September 1835, for the Repair of ——, in any one year, and remaining unexpended, not to be carried to the credit of the next year. *See Extract para.* 2 *of Government Letter No.* 3845 *of* 1845, *under* "Tanks, Wells, &c."

WELLS, TANKS, &c.—Sanctions given for the Repair or Construction of —— to be recalled, unless the Works be commenced within twelve Months, &c. *See Government Letter No.* 2455 *of* 1844, *under* "Public Works."

WELLS, TANKS, &c.—The Fund annually at the disposal of an Assistant, under the orders of 4th September 1835, for Repairs to ——, not to be drawn on by the Collector, and *vice versâ*. *See Extract para.* 2 *of Government Letter No.* 1546, *of* 14*th May* 1847, *under* "Tanks, Wells, &c."

WELLS, TANKS, &c.—When Outlays are sanctioned for Repairs to —— for *local* and not *general* objects, the inhabitants of the Village should be required to contribute in either money or labor, according to their ability. *See the Government Letter of* 16*th December* 1847, *No.* 5213, *under* "Tanks, Wells, &c."

WELLS, TANKS, &c.—Orders regarding the recovering of Subscriptions of Ryuts towards local improvements, &c. *See Extract para.* 2 *of Government Letter, dated* 15*th November* 1849, *No.* 6882, *under* "Tanks and Wells."

WELLS, TANKS, &c.—It is not necessary that the sums placed at the disposal of Collectors and their Assistants for Repairs to —— should be expended before *special* sanctions for such works are applied for. *See Extract of Revenue Commissioner's Letter No.* 1947 *of* 16*th April* 185(), *under* "Tanks, Wells, &c."

WELLS, TANKS, &c.—Statements of Expenditure for Constructing and Repairing —— out of the Funds at the Local Officers' disposal, each year, how, and when, to be submitted, &c. *See the Extract of the Civil Auditor's Letter, No.* 283, *of* 24*th June* 1844, *under* "Tanks, Wells, &c."

WELLS, TANKS, &c.—General instructions for framing and submitting the periodical Returns of Disbursements on —— under the Government Orders of 4th September 1835. *See Revenue Commissioner's Circular No.* 1504 *of* 1846, *under* "Bills."

WILD BEASTS—Scale of Rewards to be paid for the Destruction of ——.

Notification.

General Department.

The Honorable the Governor in Council is pleased to publish the following Scale of Rewards, fixed in Company's Rupees, for the Destruction of Wild Beasts

within the several Collectorates under this Presidency, in supersession of that sanctioned in 1835 in the Local Currencies :—

	Lions.	Tigers.	Cheetas, Leopards, and Panthers.	Bears.	Wolves and Hyenas.
	Rs.	*Rs.*	*Rs.*	*Rs.*	*Rs.*
Full Grown	24	24	12	6	5
Half Grown	12	12	6	3	3
Cubs	6	6	3	2	2

By order of the Honorable the Governor in Council,

Bombay Castle,
4th November 1846.

R. K. PRINGLE,
Chief Secretary.

WORKS—No Public Works —— to be carried on by either Government Officers, or their Contractors on a Sunday. *See Government Notification of 26th January* 1843, *under* "Public Works."

WORKS.—Attention drawn to the advisability of Repairing old Tanks and Bunds with a view to providing Water for Irrigational purposes, &c.

No. 409 of 1848.

General Department.

To the REVENUE COMMISSIONER N. D.

SIR,—I am directed by the Honorable the Governor in Council to transmit, for your information and guidance, copy of a letter* which I have this day addressed to the Revenue Commissioner of the Southern Division, and to request that the subject of it may receive your particular attention.

I have, &c.,

Bombay Castle,
8th February 1848.

J. G. LUMSDEN,
Secretary to Government.

No. 408 of 1848.

General Department.

To the REVENUE COMMISSIONER S. D.

SIR,—In a report submitted to Government by Dr. Gibson, that gentleman, in speaking of the Hangul Talooka, of the Dharwar Collectorate, remarks :—" I have seen no country which so much abounds in natural Water deposits, or Tanks, and in facilities for increasing them," and adds, " that centuries back these facilities

* See also the substance of a Murrathee Circular addressed by the Revenue Commissioner to the Collectors of Poona, Nuggur, Tanna, and Rutnageeree, under date 4th December 1835, at page 538.

were taken advantage of by raising bunds or embankments, but that of these Works " many are now useless or decayed."

2. The Governor in Council therefore requests that you will call upon the Collector of Dharwar to report whether of these now useless works there are not many which might be repaired under his own superintendence, and that of his European and Native Assistants, and to specify the sums which he considers will be required for each,—the larger and more costly works being left to the superintendence of scientific Officers.

3. In other parts of India, admirable Tanks or Tullaos are formed by means of earthen embankments, which are thrown up by people at Cowree labor, who convey the earth in baskets to the bund or embankment; and these works are carried on under the superintendence of the Patell of the Village, within whose Patellkee the sites may lie.

4. From such Works there is sometimes direct irrigation, but more frequently they feed Wells, and afford the facilities of raising, even in bad seasons, the means of support to the inhabitants of the surrounding country.

5. I am directed to observe that though large Tanks or Lakes are a blessing to their vicinity, they are, to the regret of the Governor in Council, so costly, as to be beyond the means of this Government to construct at present; but "Tullaos" of the description indicated in the 3rd para., might, he conceives, be made at small expense on the lands of many Villages.

6. The Honorable the Governor in Council is of opinion that their construction, under the care of the local Authorities of the Purgunna or the Village Patells, who take a pride in superintending such Works, would save heavy charges, while the connection of these Officers with the work would ensure care and attention during heavy falls of rain, which would scarcely be the case were the entire responsibility to devolve upon the Engineer Department.

7. In calling your attention to this subject generally, I am desired to observe that, independent of other results, the Governor in Council considers nothing is more likely to make Collectors and their Assistants take a lasting interest in a place, than the feelings necessarily arising from a consciousness of having, by such labors, benefitted the localities presenting facilities for Tank embankments.

8. In conclusion, I am desired to observe, that Ajmere is one of several recent instances of what may be done in this country by a zealous Collector. The ruler and ruled have there, alike, reaped enormous advantages from the industry and labors of Colonel Dixon, Superintendent of the Province.

I have, &c.,

Bombay Castle,
8th February 1848.

J. G. LUMSDEN,
Secretary to Government.

WORKS—In estimating the Cost for Public ——, the full amount which Government is required to disburse, to be invariably ascertained and reported in the first instance.

Officers submitting Estimates for sanction, held responsible for their providing for *all* that is required.

No. 6857 of 1848.

Territorial Department—Revenue.

To E. H. Townsend, Esq., Revenue Commissioner S. D.

Sir,—With reference to your endorsement No. 3385, dated the 17th ultimo, on a letter from the Collector of Ahmednuggur, I have been directed to inform you that, under the circumstances reported, the Right Honorable the Governor in Council has been pleased to sanction the additional outlay requested, amounting to Rs. (406-1-8) four hundred and six, annas one, and pies eight, for certain work attached to the Mahalkurree's Kutcherry at Kotool in the above Zillah.

2. I have been instructed at the same time to observe that, in estimating the cost of works of this nature, the full amount which Government is required to disburse, should, on all occasions, be ascertained and reported in the first instance, as it is impossible to form any opinion as to the propriety or expediency of sanctioning the proposed outlay, if the estimate laid before Government does not contain provision for everything that is requisite to make the building or work complete.

3. His Lordship in Council desires it to be understood, that all Officers submitting estimates for sanction, should be held responsible for their providing for *all* that is required, and, where defects or omissions are subsequently discovered, considered liable to supply them at their own cost, unless it can be shown that they could not have been foreseen.

I have, &c.

Bombay Castle,
2nd November 1848.

W. Courtney,
Acting Secretary to Government.

No. 7315 of 1849.

Territorial Department—Revenue.

To A. N. Shaw, Esq., Revenue Commissioner N. D.

Sir,—With reference to Government letter No. 3034, dated the 24th July 1847, to the Military Board, a copy of which was sent to you by endorsement on the same date, I have been directed by the Right Honorable the Governor in Council to transmit, for the information and guidance of the Departments under your control, an extract para. 14 from a Despatch from the Honorable the Court of Directors, No. 17, dated the 3rd October last, relative to the repairs of the Canassee Bundara in the Khandesh Collectorate.

I have, &c.,

Bombay Castle,
12th December 1849.

H. E. Goldsmid,
Secretary to Government.

Extract para. 14 *from a Letter from the Honorable the Court of Directors, No.* 17, *dated the* 3*rd October* 1849.

" Para. 14. With reference to this case, and to a subsequent instance of excess of expenditure over estimate, which occurred in the repair of the Canassee Bundara, we observe that you call the attention of the Board of Revenue to the great 'importance in works of this kind; that Government should have before it the most accurate possible estimate of the probable expenditure at the outset, as upon a consideration of it, combined with that of the estimated returns, the expediency of undertaking them at all must depend; and, although after a considerable portion of the expenditure had been actually incurred, it might be advisable to sanction a further outlay for their completion, even at a disadvantage on the data furnished by the original estimate, yet this must always be viewed as reflecting discredit on the Engineer, unless it be most fully and satisfactorily accounted for.' We fully concur in these remarks, and we desire that the Authorities, whose duty it is either to frame or to examine estimates previously to submitting them for your sanction, may be warned that they will be held responsible for the adequacy of the estimates to complete the work recommended, so that Government may not be led into undertaking works which must either be abandoned or carried out, at an expense quite disproportioned to their utility."

(True extract)
H. E. Goldsmid,
Secretary to Government.

WORKS—The particulars to be stated in all applications for sanction to the Reconstruction or Repair of Public ——. *See Government Notification of* 18*th December, and Extract, paras.* 1 *and* 2, *of Government Letter No.* 4648 *of* 1850, *under* "Public Works."

WORKS.—Manner of recovering Subscriptions of Ryuts towards Local Improvements. *See Extract, para.* 2, *of the Government Letter No.* 6882 *of* 1849, *under* "Tanks and Wells."

WORKS.—In the event of Collectors or their Assistants finding it necessary, under Standing Orders,* to recall sanctions given for Public Works, owing to such Works not having been commenced upon within twelve months, they can, if necessary, renew such sanctions from the sums placed at their disposal in subsequent years, under the Orders of Government, dated 4th September 1835, No. 2022.†

No. 4834 of 1854.

Territorial Department—Revenue.

To the Revenue Commissioner N. D.

Copy of the Resolution passed by Government, under date 26*th October* 1854, *on a Memorandum No.* 2706, *dated the* 28*th August* 1854, *from the Acting Revenue*

* See Government Letter No. 2455 of 1844, under "*Public Works.*" † See at page 967.

Commissioner S. D., with accompaniments, relative to an application from the Acting Collector of Dharwar for renewed sanction, to the expenditure of Rupees (75) seventy-five, for the Construction of a Chowdee, in the Village of Heerè Bendigeree, Talooka Bunkapoor, the Villagers contributing an equal amount.

On referring to the order of 30th July 1844, and to the minute of Sir George Arthur from which it was drafted, it appears to Government clear, from the context, that the former was intended to apply to all works sanctioned by the Collectors and their Assistants, under the authority given in the 1st para., viz. communications of 11th October 1832 and 4th September 1835.

2. The order is that "all sanctions given by a Collector or his Assistant, for outlays on account of works of irrigation, shall be recalled in cases where such works have not been commenced upon within twelve months from the date of the sanction."

3. There is nothing, however, to preclude the Collector or Assistant again sanctioning the amount as he would any other out of the sums placed at his disposal for subsequent years.

C. E. F. TYTLER,
Officiating Secretary to Government.

WORKS—Civil Officers not to call on the Engineer Department to execute —— which can be efficiently done by their own Establishments. *See Government Circular No.* 3563 *of* 1852, *under* "Buildings."

WORKS—Plans of —— requiring correct Levelling, to be prepared by the Engineer of the District, or other competent Officer.

Extract, being para. 3, *of a Government Resolution, dated* 15*th June* 1854, *No.* 2884.

"Para. 3. Plans of Works which depend on correct levelling* should be prepared by the Engineer of the District or other qualified Officer; but there is no objection to such work being executed by the District Establishment.

* Water-courses, &c., for feeding Tanks.

WORKS—Declaring it to be the duty of Government Officers, to see that, in the performance of Public ——, the Contractors use good materials. *See Extract para.* 3 *from Government Letter No.* 3447 *of* 1846, *under* "Public Works."

WORKS—Village Officers to certify in the Village Papers, prepared for each Annual Settlement, that Public ——, for the maintenance of which Inams have been granted, are kept in an efficient state. Correctness of these Returns to be tested by the District Officers and the Collector's Assistants.

No. 2676 of 1851.

Territorial Department—Revenue.

To E. H. TOWNSEND, Esq., Revenue Commissioner S. D.

SIR,—With reference to the 6th para. of the Report from the Inam Commissioner, No. 2655, dated 7th December last, submitted to Government with your

Memorandum No 690, dated the 3rd ultimo, I have been directed to inform you, that the Right Honorable the Governor in Council has been pleased to establish it as a general rule, that in the Village Papers prepared for each Annual Settlement, the Village Officers certify that Public Works, for the maintenance of which Inams have been granted, are kept in an efficient state, and that the correctness of these Returns be tested by the District Officers and Collectors' Assistants.

I have, &c.,
H. E. GOLDSMID,
Secretary to Government.

Bombay Castle,
17th March 1851.

WORKS—Mode of making, and bringing to account, Cash Advances required for Public ——.

No. 671 of 1852-53.

To E. G. FAWCETT, Esq., Revenue Commissioner N. D.

SIR,—In continuation of the documents forwarded to you with my memorandum No. 509, dated 20th October last, advising of a change made by Government in the mode of taking up and accounting for Cash Advances on account of Public Works by means of Certificates of Credit, I have the honor to annex a communication from Mr. Secretary Goldsmid, dated the 10th instant, intimating, with other information, that the new certificate system is to be confined to the District Treasuries, and the old indent made to monies taken up at the Hoozoor, and I request you will have the goodness to communicate with the Collectors of Land Revenue in your Division, and the Collector of Continental Customs and Excise, and desire their compliance therewith.

I have, &c.,
W. SIMSON,
Civil Auditor.

Bombay Castle, Civil Auditor's Office,
13th December 1852.

No. 7921 of 1852.

Territorial Department—Revenue.

To the CIVIL AUDITOR.

Copy of the Resolution passed by Government under date the 10th December 1852, on a Letter from the Military Board, No. 11721, dated 3rd November 1852, relative to the mode of making, and bringing to account, Cash Advances required for Public Works.

1. Government see nothing in this communication to induce them to reconsider the arrangement.

2. It is not necessary in regard to sums above Rs. (300) three hundred, that one certificate be taken precisely for the sum, and one for the balance. If there be sufficient reason, the total sanction may be otherwise sub-divided, and in presenting the last certificate, the amount required may be taken, and the remainder cancelled, as

contemplated in whole certificates not found to be needed, any repayment being thus obviated.

3. Cash taken up at the Hoozoor Treasury on first presentation of the sanction, can be drawn on indent as hitherto, the Certificates being intended for sums required in the Districts.

4. As regards sums required as advances under Art. CLIX. Section XXIII., the instructions of the Military Board, or other authority "competent to order the execution of the work," are to be treated precisely as a Government sanction, and the amount, if taken up at the Hoozoor, paid on indent, or otherwise certificates granted for such amounts in round sums as applied for.

H. E. GOLDSMID,
Secretary to Government.

(True copy)
W. SIMSON,
Civil Auditor.

WORKS—Collectors to furnish, annually, Statements of all Public —— which they recommend for sanction in their Zillahs.

No. 4515 of 1854.

Territorial Department—Revenue.

To the ACTING REVENUE COMMISSIONER S. D.

Copy of the Resolution passed by Government under date 30th September 1854, on a Transfer from the General Department, No. 2646, dated 18th August 1854, forwarding copy of a Despatch from the Government of India, No. 243, dated 3rd March 1854, with accompaniments, relative to the superintendence and execution of Public Works.

The Estimate to exhibit at foot sums which have been within the competence of the Local Government to sanction for works of irrigation, and which have been sanctioned accordingly.

2. Proposals for works requiring the sanction of the Government of India to be reserved, except in special cases, for the Annual Estimate which this Government have been directed to submit.

H. E. GOLDSMID,
Offg. Chief Secretary to Government.

No. 243.

From C. ALLEN, Esq., Offg. Secretary to the Government of India,

To C. J. ERSKINE, Esq., Acting Secretary to the Government of Bombay.

Dated the 3rd March 1854.

SIR,—The Government of India has been in receipt, for some months, of a Despatch* from the Honorable the Court of Directors, of which a copy is forwarded herewith, relative to

* No. 32, of 24th May 1853.

the superintendence and execution of Public Works in the Presidencies of Madras and Bombay. At the time this Despatch was received, the Government of India was not in possession of the Reports of the Commissioners appointed at the several Presidencies to inquire into the system and management of Public Works, and it was thought advisable to postpone the issue of instructions on the Despatch until the whole subject had been fully considered.

2. The Reports of the several Commissioners being now under consideration, the present appears to the Most Noble the Governor General in Council a proper time for bringing forward the Honorable Court's Despatch, especially as it appears to him that this particular branch of the subject admits of being separately acted upon.

3. The Honorable Court remark, that they have frequently had occasion to notice the irregular and unsystematic manner in which plans for various works of public improvement have been disposed of by the Governments of Madras and Bombay. The sanctions given to schemes have too frequently been grounded on considerations limited to each particular project, and having no reference to the general wants of the Country,—the natural consequence of which has been that large expenditure has frequently been incurred on lines of inferior importance, while the Trunk lines remained in an imperfect state on the ground of the want of funds to complete them.

4. Concurring in the views of the Honorable Court respecting the advisability of applying a remedy to the evil complained of, the Most Noble the Governor General in Council is of opinion that this object may best be attained by the adoption of the plans suggested by them.

5. According to this plan, it will be observed, that the local Governments should annually require the proper Public Officers to submit a Statement (in the form* annexed) of the new works, such as bridges, works of irrigation, buildings, and other works of a miscellaneous character, which are most urgently required, and the execution of which they are prepared to undertake within the ensuing year, showing also the entire expenditure proposed to be incurred. On receipt of this Statement, the local Governments will decide, after a careful consideration of the circumstances of the Presidency at the time, whether the works proposed have been properly selected, in preference to others for immediate execution; and, having come to a conclusion on this point, the whole scheme will have to be submitted to the Government of India for final sanction and approval. Estimates within the competence of the local Government to sanction, should nevertheless be exhibited in the Statement, in order to enable the Government of India to obtain at once a comprehensive view of the whole of the works contemplated, and of the expenditure to be incurred.

* *Amended* Forms were since received, with Government Memorandum No. 5269 of 1854, and are annexed to this letter.

6. Much benefit, the Honorable Court believe, will arise from the means which

such a Statement will afford of bringing, annually, under review, the wants of each Presidency as regards Public Works of every description. The plan, moreover, will be attended by this further advantage, that, while it will preserve to the Government of India that general control over the Finances of the Country which it is intended that it should possess, that Government will be relieved from the unnecessary distraction of attention and waste of time which arise from the present system of submitting, at different periods, separate projects relating to objects of a kindred nature.

7. It will be seen that it is no part of the Honorable Court's wish to place any further restriction on the amount heretofore expended on works of public improvement, or to deprive the local Governments of any of the power they have hitherto possessed of authorizing expenditure on such works. Their chief object is to secure the application of the money to be expended in such a way as to produce the greatest possible benefit to the Country and to the Community.

8. The Government of Bombay will consider the instructions above communicated to be in modification of the arrangement recommended by the Right Honorable the Governor in Council, and sanctioned under orders of the Government of India, dated the 15th July 1853, No. 563.

I have, &c.,

Fort William,
The 3rd March 1854.

C. ALLEN,
Offg. Secy. to Government of India.

Extract, para. 13, *of a Letter from the Secretary to the Government of India, No.* 784, *dated* 21*st July* 1854.

"Para. 13. In order to distinguish more clearly between new projects first proposed for sanction and projects already sanctioned on which it is proposed to expend money within the year, the Governor General in Council requests that, in future, two tabular Statements, in the form hereto appended, may be transmitted with the Annual Report, instead of the one laid down in the Orders of the 3rd of March last. The first of these two Statements will apply exclusively to new projects beyond the limit of the local Governments. The remarks in the Statement upon each project need do no more than is sufficient to identify the project; but the Secretary's letter is expected to contain a full exposition of every project entered in this Statement. The nature and results of the plans and estimates made should always form part of the exposition. The second Statement will apply exclusively to works which have been already sanctioned, whether by the Honorable Court, the Government of India, or the local Government. It will be observed that this Statement is in the form of the one first called for, with only a little alteration in the headings of the Columns.

(AMENDED FORM) No. I.

STATEMENT *of New Projects of Works recommended for Sanction in the Bombay Presidency for the Year* 18 — .

District.	Description of Work.	Estimated Cost.	Estimated Time required for Completion.	Estimated Expenditure in 18 — .	Remarks.

FORM No. II.

STATEMENT *of Expenditure within the Year* 18 — , *proposed to be made upon sanctioned Works in the Bombay Presidency.*

District.	Description of Work.	Total Estimate sanctioned.	Amount already authorised to be Expended.	Amount already Expended.	Amount to be authorised for the Year 18 — .	Further amount that will be required for Completion.	Remarks.

(Forwarding the foregoing amended Forms).

No. 5269 of 1854.

Territorial Department—Revenue.

Forwarded for the information and guidance of the Acting Revenue Commissioner Southern Division, with reference to Government Resolution No. 4515,* dated the 30th September 1854.

* Precedes.

Bombay Castle,
24th November 1854.

C. E. F. TYTLER,
Offg. Secretary to Government.

WUKEELS—Correspondence regarding the appointment of —— not to pass through the Revenue Commissioners, unless for special reasons.

Extract, being part of para. 1, *of a Government Resolution No.* 4915, *of* 21*st July* 1852, *addressed to the Revenue Commissioner S. D.*

"Para. 1. * * * Correspondence relative to the appointment of Wukeels should not pass through the Revenue Commissioners, unless for special reasons in any individual case."

WUKEELS to be selected in Moonsiffs' Courts, to act for Government in all Civil Suits. *See Government Resolution No.* 2322 *of* 1854, *under* "Suits."

WUNCHURRAI—Orders regarding the disposal of —— Lands &c. *See Extract paras.* 1 *to* 8 *of Government Letter No.* 3621 *of* 1844, *et seq., under* "Pasturage."

WURSHASUNS—Claims advanced to —— to be reported on to Government *direct.*

Nos. 1445 to 1453 of 1839.

To all the COLLECTORS of LAND REVENUE.

SIR,—I have the honor to subjoin extract of a letter from Government, from which you will perceive, that when Claims to "Wurshasuns," or other similar allowances, arise in future, it will not be necessary to make this Department the channel of communication with Government, but that Collectors should prefer such claims direct for consideration.

I have, &c.,
J. VIBART,
Revenue Commissioner.

Bombay, Rev. Com.'s Office,
6th August 1839.

Extract of a Letter from Mr. Acting Chief Secretary Reid, No. 167, *dated* 17*th January* 1839.

"Para. 2. I am at the same time desired to state, that it does not appear to the Governor in Council that you need receive petitions regarding 'Wurshasuns,'

or other allowances, since their consideration merely adds to your already heavy duties; and, as every case must come before the Governor in Council, you should direct all Applicants to prefer their Claims either direct, or through the Collectors, to Government."

WURSHASUNS—Adoptions, without the sanction of the Ruling power, cannot convey right to ——. *See Government Circular No.* 3368 *of* 1842, *under* "Adoptions."

WURSHASUNS—Rules for the Payment of ——, Charitable Allowances, &c.

Circular.

No. 7336 of 1853.

Territorial Department—Revenue.

To the Revenue Commissioner S. D.

Sir,—I have been directed by the Right Honorable the Governor in Council to communicate, for your guidance, the annexed Rules for the payment of Arrears of Charitable Allowances, &c.

I have, &c.,
H. E. Goldsmid,
Secretary to Government.

Bombay Castle,
19th December 1853.

Territorial Department—Revenue.

Preamble.

Doubts having arisen as to the correct interpretation of the Rules in force for the Payment of Arrears of Charitable Allowances, Pensions, Salaries, Hucks, &c. &c., the Right Honorable the Governor in Council, having passed the following Rules, is pleased to publish them for the observance of the Offices of Account and Audit, Disbursing Officers, and all Wurshasundars, Pensioners, Huckdars, Stipendiary Servants, &c. &c. &c:—

Date on which Wurshasuns, Pensions, &c. fall due, and on which they are payable.

Clause I.—All Wurshasuns, Charitable Allowances to Temples, &c., Annual Hereditary Pensions, and Annual Life Pensions, fall due on the close of the 30th of April of each official year, and are payable, on application, on the 1st of May following, from which date they are considered to be "in arrears."

Illustrations.—A Wurshasun, Pension, &c. due, or in arrears for 1852-53, is payable on 1st May 1853, and for 1853-54, payable on 1st May 1854.

What Arrears of Wurshasuns, &c. &c., are paid in full.

Clause II.—Section XXIX. of the Pension Rules of September 1835, allows the Wurshasuns, Charitable Allowances to Temples, &c., Annual Hereditary Pensions, to be paid in full, if applied for

within two years of the time noted in the 1st Clause, making a total period of three years of Arrears.

Illustration.—Wurshasuns, &c. due, or in arrears for 1852-53, 1851-52, and 1850-51, if applied for on the 1st May 1853, would all be paid in full.

What Arrears of Life Pensions are paid in full.

Clause III.—Section XXIX. of the Pension Rules of September 1835 allows Annual Life Pensions to be paid in full, if applied for within one year of the time noted in Clause I., making a total period of two years of Arrears.

Illustration.—Annual Life Pensions due, or in arrears for 1852-53 and 1851-52, if applied for on 1st May 1853, would both be paid in full.

What deductions are made from Wurshasuns, Life Pensions, &c., when paid in Arrears.

Clause IV.—All Arrears of Wurshasuns, Charitable Allowances to Temples, or Annual Hereditary Pensions (in excess of three years, and Life Pensions in excess of two years,) are liable on payment to the following deductions, under the Government Order of 23rd November 1850 :—

For the first year in excess			10	per cent.	deduction.
For the second	do.	do.	20	do.	do.
For the third	do.	do.	30	do.	do.
For the fourth	do.	do.	40	do.	do.
For the fifth	do.	do.	50	do.	do.

Illustration.—A Wurshasun, &c., due, or in arrears for eight years, (say from 1845-46 to 1852-53 inclusive,) if applied for on 1st May 1853, would be disposed of as follows :—

1852-53.....	}		
1851-52.....	}	Paid in full, agreeably to Clause II.	
1850-51.....	}		
1849-50.....	10	per cent.	deducted.
1848-49.....	20	do.	do.
1847-48.....	30	do.	do.
1846-47.....	40	do.	do.
1845-46.....	50	do.	do.

2nd Illustration.—An Annual Life Pension due, or in arrears for seven years, (say from 1846-47 to 1852-53 inclusive,) if applied for on the 1st of May 1853, would be disposed of as follows :—

1852-53.....	}		
1851-52.....	}	Paid in full, agreeably to Clause III.	
1850-51.....	10	per cent.	deducted.
1849-50.....	20	do.	do.
1848-49.....	30	do.	do.
1847-48.....	40	do.	do.
1846-47.....	50	do.	do.

Clause V.—Arrears of Wurshasuns, Charitable Allowances to Temples, or Annual Hereditary Pensions, in excess of eight years, and Arrears of Annual Life Pensions in excess of seven years, are to be forfeited.

What Arrears of Pensions, &c. are forfeited.

Clause VI.—Under the Circular Orders of Government of 31st January 1850, No. 836, the names of all Claimants in Arrears in excess of ten years are to be struck off the Books.*

Names of Claimants struck off after ten years. See Government Circular No. 4786, of 19th October 1854.

Clause VII.—Salaries in Arrears in excess of two years are liable, by order of Government, dated 8th January 1851, to be dealt with as laid down in Clauses IV., V. and VI.

Salaries in Arrears fall under Clauses IV., V. and VI.

Clause VIII.—Arrears of Kothlee Santh, Inams to Patells, Girass, and Ruckha Payments, &c. &c., with the exception of "Mulvera," (a village expense for feeding needy Travellers,) are also liable, by order of Government, dated 26th May 1851, to be dealt with as laid down in Clauses IV., V. and VI.

Kothlee Santh, Inams to Patells, &c., in Arrears, fall under Clauses IV., V. and VI., excepting "Mulvera."

Clause IX.—So likewise are Arrears of Hucks of every description, and Arrears of all Money Payments generally, (with the exception noticed in Clause VIII.,) provided the allowing them to fall in Arrears be clearly the fault of the Claimants, and not arising from causes over which they had no control.

Hucks in Arrears, and all Arrears generally fall under Clauses IV., V. and VI.

Clause X.—All Bills for Arrears falling under Clause IV., are invariably to be referred for Pre-Audit, and the Disbursing Officer should note on them, as well as on all other Claims not so referred, under his own signature, the date on which the application for payment had been made.

Bills for Arrears under Clause IV. to be Pre-audited.

By order, &c.,
H. E. Goldsmid,
Secretary to Government.

Bombay Castle,
19th December 1853.

Circular.

No. 4786 of 1854.

Territorial Department—Revenue.

To the Acting Revenue Commissioner S. D.

Sir,—I am directed by the Right Honorable the Governor in Council to communicate, for your guidance, the accompanying amended Clause VI. of the

Ten copies are herewith forwarded.

* See amended Clause VI. which follows.

Rules to be observed in the payment of Arrears of Charitable Allowances, &c. in supersession of the revised Clause furnished with the Government Circular No. 3104, of the 27th June 1854.

I have, &c.,
C. E. F. TYTLER,
Offg. Secretary to Government.

Bombay Castle,
19th October 1854.

Clause VI.—Under the Circular Orders of Government, of the 31st of January 1850, No. 836, the names of all Claimants in Arrears in excess of ten years are to be struck off the Books, and no such claim is thereafter to be re-admitted, unless its previous non-demand be attributable to the proceedings of the Civil Courts, or of any Officer of Government.

C. E. F. TYTLER,
Offg. Secretary to Government.

Bombay Castle,
19th October 1854.

WURSHASUNS—Certificates of Identification to be required from the Authorities of the Districts in which Recipients of —— may be residing before payments of their Allowances. *See Government Orders of 11th April* 1851, *(page* 101,*) under* "Allowances." *Vide also the later Orders of Government, dated 5th June* 1854, *No.* 2680, *(page* 681,*) under* "Life-Certificates."

WUTTUNS.—Wuttundars, whether in Office or not, cannot withhold any records or papers connected with their Wuttuns or Service. *See Extract of Government Letter No.* 717 *of* 1844, *(page* 822,*) under* "Records."

WUTTUNS.—The sole Proprietor of a Wuttun is considered an "*Officiating*" Officer within the meaning of Act XI. of 1843. *See Government Letter No.* 3129 *of* 1848, *(page* 345,*) under the head of* "District Hereditary Officers."

WUTTUNS—The value of —— recommended for attachment to be always carefully stated. *See Revenue Commissioner's Circular No.* 1491 *of* 1840, *under* "Attachments."

WUTTUNS—Care to be taken to prevent the entry, in the Government Books, of the names of Sub-Sharers in Wuttuns. *See Extract, paras.* 2 *to* 6, *of Revenue Commissioner's Letter No.* 2062 *of* 1853, *(page* 378,*) under* "District Hereditary Officers."

WUTTUNS—A Mortgagee has no right, in virtue of the mortgage to him of —— of District or Village Hereditary Officers, to manage, or interfere with, the duties pertaining to such Wuttuns.

Circular.

No. 944 of 1840.

Territorial Department—Revenue.

To the COLLECTOR of RUTNAGEEREE.

SIR,—I am directed by the Honorable the Governor in Council to transmit, for your information, the accompanying copy of a letter, dated the 21st ultimo, from

the Register of the Court of Sudder Adawlut, communicating the decision of the Judges on a question propounded to them by Government, viz. whether the Mortgagee, to whom an Hereditary District or Village Officer may have mortgaged his Wuttun during life, can claim from the Collector admission into the management of the official duties of the Wuttun, in the place of the Mortgagee, under the interpretation of the 20th Section of Regulation XVI. of 1827, given by the Court on the 23rd February 1831 and 5th December 1834.

I have, &c.,
L. R. REID,
Chief Secretary.

Bombay Castle,
14th March 1840.

No. 293 of 1840.

Revenue Department.

To L. R. REID, Esq., Chief Secretary to Government, Bombay.

SIR,—In acknowledging your letter of the 7th instant, No. 465 of 1840, I am directed by the Judges of the Sudder Adawlut to state, for the information of the Honorable the Governor in Council, that they are of opinion, that a Mortgagee has no right whatever, in virtue of the mortgage of a Wuttun, to exercise, or interfere, in any manner whatever, with the official duties of the Wuttun.

I have, &c.,
G. GRANT,
Register.

Bombay Sudder Adawlut,
21st February 1840.

No. 38 of 1841.

Territorial Department.

To L. R. REID, Esq., Chief Secretary to Government, Bombay,

SIR,—With reference to your Circular No. 944, dated 14th March 1840, transmitting, for my information, copy of a letter No. 293, of the 21st February preceding, from the Register to the Sudder Adawlut, communicating the decision of the Judges of that Court, that a Mortgagee has no right whatever, in virtue of his mortgage of the Wuttun of an Hereditary District or Village Officer, to exercise, or interfere, in any manner whatever, with the official duties of the Wuttun, or to claim admission from this Department to the management of the Wuttun, I have the honor to solicit the favor of your obtaining for me the instructions of the Honorable the Governor in Council, whether, under the abovementioned orders, it is incumbent upon me at once to dispossess from the management of these Wuttuns all mortgagees now in possession of the same, and to restore them to their mortgagers; or, whether these orders admit of the exercise of a discretionary power by this Department, to be exerted or not according to the circumstances of each case.

2. The Revenue Commissioner's reply No. 385, dated 23rd ultimo, to a reference which was made to that Officer by my First Assistant in Charge on this subject, is herewith handed up for the information of Government.

I have, &c.,
A. ELPHINSTON,
Collector.

Rutnageeree, Collector's Circuit Kutcherry,
Hurnee, 12th April 1841.

No. 1356 of 1841.

Territorial Department—Revenue.

To A. ELPHINSTON, Esq., Collector of Rutnageeree.

SIR,—I am directed by the Honorable the Governor in Council to acknowledge the receipt of your letter, dated the 12th instant, with enclosure, requesting the instructions of Government on certain points connected with the decision of the Sudder Adawlut, which was communicated to you in my Circular letter No. 944, of 14th March 1840, respecting the right of the Mortgagee of a Wuttun to interfere in its management, &c., and to instruct you to call upon all such Hereditary District and Village Officers to perform the duties of their Offices in person; and, on their neglecting to do so, you may attach their Wuttuns in conformity with the Regulations.

I have, &c.,
L. R. REID,
Chief Secretary.

Bombay Castle,
24th April 1841.

WUTTUNS—Relative to the conferring of Lapsed Hereditary Offices, such as those of Patell, Koolkurnee, &c., on deserving and properly qualified Public Servants.

No. 1893 of 1841.

Territorial Department—Revenue.

To J. VIBART, Esq., Revenue Commissioner.

SIR,—With reference to my letter No. 3464, dated the 10th November 1840, I am directed by the Right Honorable the Governor in Council to transmit, for your information and that of the Officers under your control, the accompanying copy of a letter from the Secretary to the Government of India, conveying the instructions of the Right Honorable the Governor General of India in Council, on the question of conferring Lapsed Hereditary Offices, such as Patell, Koolkurnee, &c., on deserving and properly qualified Native Public Servants, as a reward for meritorious services, and to request that you will direct due attention to be paid to the instructions therein contained on the subject.

I have, &c.,
L. R. REID,
Chief Secretary.

Bombay Castle,
12th June 1841.

No. 56.

To L. R. Reid, Esq., Chief Secretary to the Government of Bombay.

Sir,—The Right Honorable the Governor General of India in Council having taken into consideration the papers submitted with your letter No. 3465, dated 10th November last, desires me to communicate, for the information of the Honorable the Governor in Council, his approval of the proposed plan for conferring Lapsed Hereditary Offices, such as those of Patell, Koolkurnee, &c., on deserving and properly qualified Native Public Servants, as a reward for meritorious services.

2. His Lordship in Council entertains no doubt of the right of Government to select and appoint to these offices ; and, while he would desire to confer hereditary rights in the Villages by such appointments, in order to create an interest in their prosperity, he would enjoin the most scrupulous regard to the feelings and religious prejudices of the Villagers, without whose cheerful co-operation no success can result from the measure. His Lordship in Council is clearly of opinion, that the emoluments of the Wuttun should, in every instance, belong to the party actually performing the duties, and that the incumbent should be liable to deprivation by Government for misconduct. In such cases, the right of the heir will, on the demise of the dismissed Wuttundar, be entitled to consideration, in the event of his being found qualified, and there being no other serious objection to the succession.

3. Referring to the sequel of your letter No. 3836, dated the 19th October 1838, it does not appear to the Governor General in Council to be necessary that the appointments should be reported for the confirmation of the Government of India,—the local Government being the best qualified for the determination of such cases ; but, it will be necessary, that each case shall be reported to the Governor in Council, without whose specific sanction no assignment of lapsed rights ought, on any account, to be allowed to take effect.

I have, &c.,

Fort William,
The 26th April 1841.

T. H. Maddock,
Secretary to Government of India.

WUTTUNS—Females entitled, under Act XI. of 1843, to an Hereditary District or Village Office.

Circular.

No. 3280 of 1843.

Territorial Department—Revenue.

To all the Collectors.

Sir,—I am directed by the Honorable the Governor in Council to transmit, for your information, the accompanying copy of a letter from the Deputy Register to the Court of Sudder Adawlut, No. 1708, dated the 2nd ultimo, stating that, in the

opinion of the Judges of that Court, the effect Act XI. of 1843 is to confer, on a Female, a title to an Hereditary District or Village Office, which she was declared incompetent to hold by their interpretations of the 19th May 1832 and 29th May 1840.

I have, &c.,

Bombay Castle,
7th October 1843.

L. R. Reid,
Chief Secretary.

WUTTUNS—The *temporary* Attachment of —— not provided for by Act XI. of 1843, &c.

Extract, being part of para. 2, of a Letter from Government to the Revenue Commissioner, dated 15th May 1846, *No.* 2296.

"Para. 2. * * Act XI. of 1843 does not, I am instructed to remark, appear to provide for the *temporary* attachment of the whole or any portion of an Hereditary Office. Confiscation, generally, is authorised by Section IX., but apparently, as a permanent measure, the power of *suspension* from Office is entrusted to the Collector by Section VI.; but, taken with the context, it would seem to be intended to extend only to the period of three months, by which the mulct of the emoluments is limited."

N.B.—The interpretation in the 1st Clause of this Extract was repeated in para. 1 of Government Letter No. 7531, of 5th December 1848.

WUTTUNS—Relative to the recognition by Government of ancient Subdivisions of ——.

No. 3073 of 1848.

Territorial Department—Revenue.

To D. A. Blane, Esq., Revenue Commissioner S. D.

Sir,—I have been directed to acknowledge the receipt of Mr. Townsend's letter No. 963, dated the 17th March last, with enclosure, and to state that the Right Honorable the Governor in Council is of opinion, that Government should, in all cases, recognize ancient Subdivisions of Hereditary Offices, and look upon each as a separate Office where a division has been made territorially. But where there has been no territorial division, the Wuttun should be treated as a whole, and managed accordingly.

2. This general rule may, however, require some adjustment in practice. For instance, take the case of a Deshpandee of a Turuf of fifty Villages, held by two families, each holding twenty-five Villages. The management of the details of the Wuttun may be performed by each family in its own portion, but there must still be a Head, by whom all accounts and returns can be consolidated; and such Head, if the right of seniority be not preserved to one party in the conditions of separation, may be appointed, in the usual manner, either by the parties or by the Government.

3. You are requested to favor His Lordship in Council with your opinion after consulting the Collectors of the Southern Division and the Superintendents of the several Surveys, as to how the arrangements above alluded to work.

I have, &c.,
H. E. GOLDSMID,
Secretary to Government.

Bombay Castle,
26th May 1848.

No. 1076 of 1849.

To W. COURTNEY, Esq., Acting Secretary to Government.

SIR,—In reply to the Secretary's letter of 26th May (No. 3073), I have the honor to transmit the replies of the Officers quoted in the margin, containing their opinions on the question raised by Government.

Collector of Ahmednuggur, 21st June 1848 (No. 1067).
Superintendent Southern Mahratta Country Survey, ditto (No. 123).
Collector of Rutnageeree, 20th July 1848 (No. 782).
Collector of Poona, 8th August 1848 (No. 1782).
Collector of Belgaum, 14th August 1848 (No. 294).
Superintendent Ahmednuggur Survey, 18th August 1848 (No. 100).
Collector of Dharwar, 29th August 1848 (No. 1570).
Collector of Sholapoor, 25th July 1849 (No. 90).

2. Mr. Spooner thinks the Government plan unobjectionable, and that it would work well. Captain Wingate is of the same opinion. The Collector of Rutnageeree states, that in one Tolooka only the Hereditary Offices are subdivided, and that there whole Mahals are appropriated to each Sharer, consequently that the question would not arise in his Collectorate.

3. The First Assistant in charge of Poona thinks that, in general, the Government plan would work well, but that in some cases, to avoid disputes, the separate shares should be dealt with separately. The Acting Collector of Belgaum thinks "that ancient Subdivisions of Hereditary Offices should always be recognized," and that where the families spring from the same stock, the elder branch should preserve the records of the total estate,—but not otherwise. The reply of the Superintendent of the Ahmednuggur Survey enters at some length into this and kindred questions: Lieutenant Anderson appears opposed to the recognition of separate shares in Wuttuns. The Collector of Dharwar thinks, that the arrangement proposed in para. 1 of the Secretary's letter under reply would be unobjectionable, but that the appointment of a Head over the whole Wuttun would be an unpopular measure. The Acting Collector of Sholapoor appears to object to the divisions of the Wuttuns being acknowledged by the appointment of separate representatives of the separate shares: that question was, however, disposed of in the Secretary's letter of 26th May last, under reply.

4. The opinion expressed by the Acting Collector of Belgaum is that which I am most disposed to coincide with; but even in cases where the different Sharers of a Wuttun belong to the same family, I do not think that one Head to the entire

Wuttun should always be appointed ; where feuds between the Shareholders exist, or rivalry, or ancient separation, the attempt would, I think, create difficulties without any corresponding advantage. I would respectfully suggest that in each case the Collector be permitted to exercise his discretion, as to whether a Head over the whole Wuttun should be appointed or not.

I have, &c.,
E. H. TOWNSEND,
Revenue Commissioner S. D.

Dharwar District,
Rev. Com.'s Camp Koopeloor,
27th February 1849.

No. 1640 of 1850.

Territorial Department—Revenue.

To the REVENUE COMMISSIONER S. D.

SIR,—I have been directed to acknowledge the receipt of your letter No. 2224, dated the 5th November last, with accompaniments, containing your own opinion and that of each of the Collectors of your Division, relative to the recognition or otherwise of ancient Subdivisions of Hereditary Offices.

2. The Right Honorable the Governor in Council does not wish it to be inferred from my letter, dated 26th May 1848, No. 3073, that Government read Act XI. of 1843 otherwise than as enabling them, if they think fit, to view and treat as a whole, a Wuttun composed of two or more Buns, Thurs, or Tuksheems. His Lordship in Council is of opinion, that it would be inexpedient to make one unbending rule universally applicable. The first thing to be considered, and that for which Act XI. was framed, is the efficient discharge of the duties of the Office, and so far as is consistent with this it appears to him that the hereditary rights and customs of the Wuttuns may advantageously be preserved, whether or no the Subdivision has been made territorially.

I have, &c.,
H. E. GOLDSMID,
Secretary to Government.

Bombay Castle,
1st March 1850.

WUTTUNS—The applicability of Act XI. of 1843 to the consolidation of —— and the Pay of Deputies or Goomastas.

No. 1207 of 1850.

Territorial Department—Revenue.

To E. H. TOWNSEND, Esq., Revenue Commissioner S. D.

SIR,—I have had the honor to receive and lay before the Right Honorable the Governor in Council your letter No. 4458, of 11th December last, and Memorandum No. 4564, of 20th idem, submitting replies from the Collectors of your Division to the two questions referred to in the Government letter of 29th August

preceding, No. 5374, regarding the application of Act XI. of 1843 to the consolidation of Wuttuns and the pay of Deputies.

2. In regard to the first question, viz. if the Wuttun of a Village Officer extends to more Villages than one, is the excess of allowance over the scale in one Village of the Wuttun to be considered as available for the deficit in another? I have been directed to inform you, that His Lordship in Council is of opinion that it would be at variance with usage and the ideas of the people with regard to Village Wuttuns to appropriate the excess of the emoluments in one Village to supply the deficiency in another. The Wuttun of each is, in the opinion of the Governor in Council, altogether independent of that of another, even when both are held by the same party. In such a case, it might be considered that the largeness of the proceeds from one Village rendered unnecessary any increase to the existing emoluments of the other; but this could hardly be made a permanent arrangement, and the expedient would admit of but very limited application in practice.

3. The second question is much the more important. Do Sections XII. and XIII. authorise Revenue Officers to fix the Pay of Deputies appointed by the Principals? In the opinion of the Governor in Council they do most certainly; and on this point he quite concurs in the opinions of the Collectors of Dharwar and Ahmednuggur, and the late Acting Collector of Belgaum.

4. The whole question turns on the interpretation of the phrase, in Section XII., "subject to the same rules as their Principals." To interpret an Act fairly, it is necessary to understand the intentions of the framers; and, in the case of Act XI., there can be no doubt that the object was to secure the efficient performance of the duties of Hereditary Officers by the appointment of qualified Officiators, and the assignment to them of adequate emoluments. Any interpretation at variance with, or not meeting, this evident intention of the enactment, must be viewed with the utmost suspicion, and could not fairly be adopted, except from an utter impossibility of finding any other meaning for the terms used. Now, unless a Deputy appointed by the Hereditary Officer can be viewed, and remunerated, as the *Officiator*, the entire object of the Act is defeated. It is impossible, therefore, that it could have been intended that the salaries of Deputies should be left to the discretion of their Principals, for this would have been to stultify every one of the provisions of the Act.

5. And equally impossible is it to suppose that the cases of such Deputies were altogether overlooked; for they must have been in view at every turn on the most cursory consideration of the question. Every minor, every female, every man rendered incompetent by old age, every Officiating District Hereditary Officer holding a Village Wuttun, every Wuttundar from whatever cause personally disqualified must have a Deputy, and it is not to be supposed that all these every-day cases were overlooked.

6. Nothing, then, remains but to maintain, that the meaning of the phrase in Section XII. is, that in regard to all the provisions of the Act, they are to be held as occupying the place of their Principals.

7. The only objection to this view, which in the opinion of His Lordship in Council is deserving attention, was that stated by you in the 4th para. of your Report of 13th August last, No. 3206, where you state that if the expression "subject to the same rules and penalties as the Principal," be taken without limitation, Section XIV. of the Act would be superfluous. The Collector of Dharwar and the late Acting Collector of Belgaum expose this error by showing that Section XIV. refers to a different class of cases altogether, namely, Deputies appointed *by the Collector.* In the 4th para. of your letter under reply, you acknowledge you were wrong, but, although the sole argument on which you based your interpretation is cut away, you still try to uphold that interpretation as correct.

I have, &c.,
H. E. GOLDSMID,
Secretary to Government.

Bombay Castle,
18th February 1850.

WUTTUNS—Landed property and —— of Mahomedans to be continued in the Female line, according to the Mahomedan Laws of "Inheritance." *See Government Letter No.* 12115 *of* 1851, *under* "Inheritance."

WUTTUNS—Collectors to enforce the right of escheat in the case of all District Hereditary Offices lapsing to Government through failure of male heirs. *See Inam Commissioner's Report No.* 1634, *(page* 382,*) and Revenue Survey Commissioner's Report No.* 66, *(page* 383,*) under* "District Hereditary Offices."

WUTTUNS—As to how far Mortgaged portions of —— are available for remunerating the Officiating Member.

No. 6892 of 1853.

Territorial Department—Revenue.

To the REVENUE COMMISSIONER S. D.

Extract, paras. 1 *to* 7, *of the Resolution passed by Government, under date the* 30*th November* 1853, *on a Letter from the Remembrancer for Legal Affairs, No.* 57, *of* 12*th October* 1853, *submitting his opinion relative to a Suit reported by the Collector of Broach, under date* 23*rd March* 1853, *No.* 133, *as having been filed against his Department by Nundram Sombhut, and others, for the recovery of thirty Beeghas, and three Wussas of Land, &c., in that Collectorate.*

"Para. 1. It is now admitted, on both sides, that the land consisting of thirty Beeghas and three Wussas is Patell's Pussaitá, *i. e.* Land intended for the support of the office of Patell.

Para. 8 of Mr. Howard's letter.

By Section XIII. of Act XI. of 1843, the Collector is empowered to fix and assign a certain portion of the rents and profits of the Hereditary Office for the *fit maintenance* of the Hereditary Officer, and Government assume that, in assessing the Patell's mortgaged Land, the Collector did so with the above object in view, that is, notwithstanding that service was rendered by the Patell, the Collector was of opinion that whatever income the Patell derived from the Office did not afford sufficient remuneration for the fulfilment of its duties.

"2. His Lordship in Council does not therefore agree with Mr. Howard that the assessment by the Collector was illegal, and that the suit should be submitted to. There appears to be a good defence, if based on the provisions of Act XI. of 1843, and the suit should, in the opinion of Government, be defended.

"3. The mortgage is only a temporary and derivative tenure, and cannot alter the conditions of the original tenure. Government are in no way bound by it, as they were not parties to the contract between the Patell and the Mortgagee. The latter undertook the mortgage with all the liabilities to which the Land was subject; and, if he is unwilling to pay the assessment which the Collector may impose upon it, for the sake of adequately remunerating the Patell, he can throw up the Land, and the alienated rights will thus become restored to the office. The Mortgagee's remedy is against the Patell, not against the Government.

"4. If a Patell's Wuttun be large and mortgaged, the Collector need assess only such portion as will create a *fit maintenance* for the officiating member of the Wuttun, leaving it to him, or his Co-sharers, to recover *possession* of the whole in the Civil Courts on the settlement of the mortgage bond, or on other considerations. But Government are not debarred from adopting any measures they may think fit regarding the Pay for service; and, if *all* the Holdings of a Wuttundar were affected by them, the Mortgagees could not complain. *They* are not the parties 'enjoying the exemption,' but the Wuttundars.

Mr. Howard's 7th para.

"5. In the case of the Belgeree Patell's Wuttun, Government decided that the mortgaged portion of the Wuttun should be held available for the remuneration of the official service in the event of the remaining portion being inadequate for that purpose, and that the Jodee, which the Collector had unauthorisedly remitted on the mortgaged Land, should be re-imposed.

"6. The Honorable Mr. Elphinstone, when Governor, stated that the alienated rights should be restored to the office to which they belong, and the Sudder Adawlut upheld this view as a common-sense one;—also Mr. Hart's opinion that no prescription can abrogate the conditions of service.

Register's letter to Government, No. 257, of 24th January 1852.

"7. Therefore, as a general rule, if service has hitherto been only nominally performed, and it be an object of Government to make the Hereditary Offices more efficient, the Collector has legal power to raise a Fund for the payment of this

better service by assessing the Wuttun Lands if in the possession of Mortgagees—never mind how long the mortgage has run. The mortgage can never alter the *original tenure of the service Land and its liabilities for the remuneration of adequate service.*

H. E. GOLDSMID,
Secretary to Government.

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ZAMEEN—The Officers from whom, and the extent to which, Zàmeen, or Security, should be taken under Act XVIII. of 1838. *See the Government Letter No.* 3943 *of* 1850, *(page* 868,*) under* " Security."

ZAMEEN—Scale of ——, or Security, to be taken from Tullatees assisting Patells in the Collection of the Revenue prescribed. *See Revenue Commissioner's Circular No.* 385 *of* 1851, *&c., (page* 868,*) under* " Security."

ZAMEEN—Neither Officiating Members of Koolkurnee Wuttuns nor Deputies (when the latter are appointed by Wuttundars) need furnish —— or Security. Deputies (appointed by Controlling Officers,) and Tullatees should. *See Revenue Commissioner's Letter No.* 1322 *of* 1851, *&c., (page* 869,*) under* " Security."

ZAMEEN—The taking of " Màl-Zàmeen" prohibited, except in cases in which the non-enforcement of the practice would endanger the realization of the Revenue. *See Extract of the Revenue Commissioner's Letter of 23rd April* 1833, *No.* 606, *and other communications, under* " Màl-Zàmeen."

ZAMEEN—Unless a new Security Bond is made *retrospective* in effect,—to the date from which the old Bond commences, the latter instrument is not to be returned to the original Surety, &c. *See the Government Letter No.* 6227 *of* 1850, *&c., (page* 871,*) under* " Security."

ZAMEEN—Every precaution to be used in accepting —— or Security for Farms. *See the Government Letter No.* 3241, *of* 1842, *(page* 876,*) under* " Security."

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